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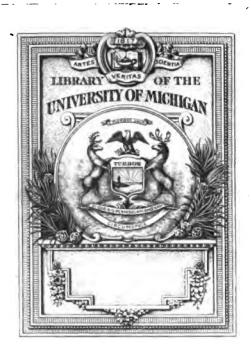
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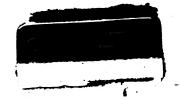
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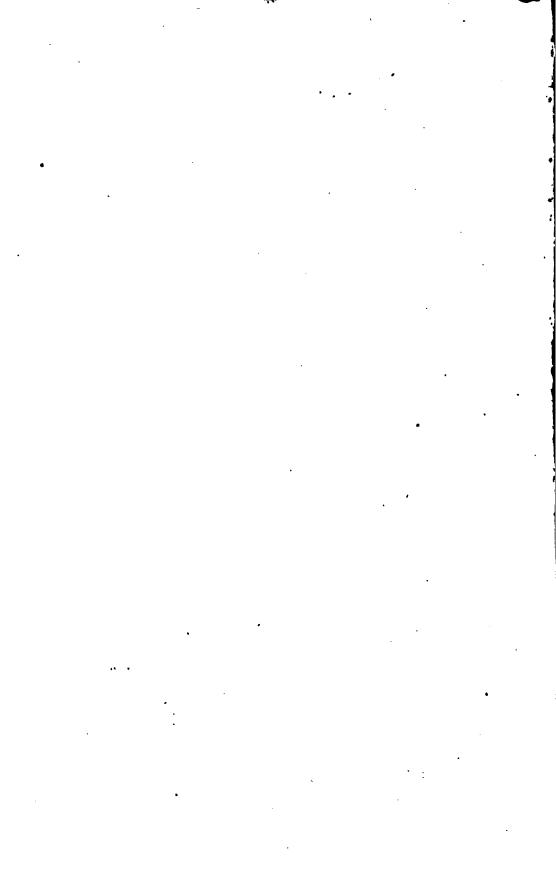






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JOURNAL

OF THE

SENATE

OF THE

STATE OF NEW-YORK,

AT THEIR

SIXTIETH SESSION,

BEGUN AND HELD AT THE CAPITOL, IN THE CATY OF ALBANY, ON THE THIRD DAY OF JANUARY, 1837.



ALBANY:
PRINTED BY E. CROSWELL, PRINTER TO THE STATE.

1837.

H.J



JOURNAL OF THE SENATE.

STATE OF NEW-YORK:

SENATE CHAMBER IN THE CITY OF ALBANY, TUESDAY, JANUARY 3, 1837.

PURSUANT to the fourteenth section of the first article of the Constitution of the State of New-York, designating the first Tuesday of January in each year, for the time of the meeting of the Legislature, his Honor John Tracy, Lieutenant-Governor, and the following Senators from the eight senate districts of this State, appeared in the Senate Chamber, to wit:

From the First District.

Charles L. Livingston,

Henry Floyd Jones.

Coe S. Downing,

From the Second District.

Leonard Maison,
John P. Jones,

John Hunter, Henry H. Van Dyck.

From the Third District.

*Alonzo C. Paige, Abraham L. Lawyer,

James Powers,
*Noadiah Johnson.

From the Fourth District.

"John McLean, Jabez Willes, David Spraker, *Samuel Young.

From the Fifth District.

Francis Seger, Abijah Beckwith, Micah Sterling, *David Wager.

From the Sixth District.

Ebenezer Mack, Levi Beardsley, George Huntington, *Daniel S. Dickinson.

From the Seventh District.

Thomas Armstrong, Chester Loomis,

John Beardsley, *Samuel L. Edwards.

From the Eighth District.

Albert H. Tracy, Isaac Lacy, Chauncey J. Fox.

The several senators elected at the last election in the eight senate districts of this State, whose names are designated by an asterisk, having taken and subscribed, before the Honorable John Tracy, Lieutenant-Governor, the oath required by law, Mr. President took the chair.

Ordered, That Mr. Edwards and Mr. H. F. Jones wait upon his excellency the Governor, and inform him that the Senate are met and

ready to proceed to business.

Ordered, That Mr. Mack and Mr. Fox wait upon the Assembly

with the like message.

Mr. Edwards reported that Mr. Jones and himself had waited upon the Governor and delivered the message of the Senate; to which the Governor replied, that as soon as he should receive a similar message from the Assembly, he would transmit a message to both branches of the Legislature.

Mr. Mack reported that Mr. Fox and himself had waited on the Assembly, and informed them that the Senate were ready to proceed to

business.

A message was received from the Assembly, delivered by Mr. Cash and Mr. Westlake, informing that the Assembly were organized and ready to proceed to business.

On motion of Mr. Spraker,

Resolved, That the clerk forthwith prepare two slips of paper, one numbered 1, and the other numbered 4, and that Mr. Young and Mr. McLean, senators from the fourth district, draw from said lots; and that the senator drawing number 1 shall be considered as having drawn for the shortest, and the senator drawing number 4 for the longest period.

Thereupon,

The slips having been prepared by the clerk, Mr. Young drew number 4, and Mr. McLean drew number 1.

On motion of Mr. Powers,

Resolved, That the clerk prepare forthwith two slips of paper, one numbered 1, and the other numbered 4, and that Mr. Johnson and Mr. Paige, senators from the third district, draw from said lots; and that the senator drawing number 1 shall be considered as having drawn for the shortest, and the senator drawing number 4 for the longest period.

Thereupon,

The slips having been prepared by the clerk, Mr. Paige drew ballot No. 1, and Mr. Johnson drew ballot No. 4.

On motion of Mr. Jones,

Resolved, That the clerk of the Senate furnish to the Lieutenant-Governor and each member of the Senate, such newspapers as they may respectively direct, not exceeding in amount two daily papers.

On motion of Mr. Fox,

Resolved, That the clerk prepare and have printed for the use of the members, a legislative manual, usually denominated the Red-Book.

A message was received from his excellency the Governor, delivered by his private secretary, and read, in the words following, to wit:

TO THE SENATE AND ASSEMBLY.

Fellow Citizens:

Although the aspect of our affairs has in some respects changed during the last year, yet nothing has occurred to interrupt or diminish our general prosperity. Our country sustains the relations of peace and amity with other nations. Our commercial intercourse with them is now better established than at any former period. The prejudices long entertained against our political system have been, in a great degree, removed by its favorable results; and among all enlightened nations, our example is now oftener commended as a wise improvement, than denounced as a dangerous innovation upon the customary forms of government.

At the commencement of the last session of the Legislature, the public mind was much disturbed in several of the states by schemes then on foot for abolishing domestic slavery. Some undoubtedly embarked in them with good intentions; but it is now more evident perhaps than it was then, that many of the agitators were prosecuting political designs under the mask of pretended philanthropy. As soon as the excitement ceased to subserve party purposes, it began to abate. Although these fanatical proceedings have not been entirely discontinued, they are not now of such a character as to attract much public attention here, or furnish any just cause for alarm elsewhere. The mass of our fellowcitizens, without regard to party distinctions or religious sects, reprobated them, and united in urgent and strong appeals to the agitators to forego their mischievous designs. It was then a matter of sincere regret, that any had given their sanction to measures tending to disturb the friendly relations among the members of our Federal Union; and it is now a subject of congratulation, that, rebuked and circumscribed as these proceedings have been, and I trust will continue to be, by the vigorous and healthful tone of public opinion, there is no longer any cause for disquietude on this account.

It is eight years since the public judgment of the country was emphatically pronounced in favor of a change in the administration of the General Government. A large majority of the nation, dissatisfied with their political condition, concurred in selecting for their Chief Magistrate the eminent citizen who now occupies that station; confidently believing that he possessed the rare endowments so indispensably necessary to effect a favorable change in the adverse current of our national af-The extent to which this expectation has been realized, and the various ways in which public opinion has expressed its approval of his conduct, have amply vindicated the wisdom of the selection. It must be conceded that he has managed our national concerns during an eventful period. Questions of the highest importance to the well-being of the country, have been violently agitated; principles that lay at the foundation of the government, have been assailed; sectional interests have been arrayed on the side of false and dangerous theories; a great moneyed monopoly, having vast means at its command, with an unscrupulous disposition to use them in operating upon the hopes and fears of those whose fortunes could be affected by any sudden change m our pecuniary affairs, espoused the cause of the assailants of the administration, and gave a powerful impulse to their measures of annoyance; our affairs at home and abroad assumed at times a most gloomy aspect;—but, amid difficulties the most embarrassing, and obstacles the most formidable, he has pursued his undeviating course, and has finally accomplished all the great purposes rendered necessary to re-establish correct principles, and to give a new and better direction to the policy of

the government.

He is now about to retire from public life, and it is not at all probable that any thing will occur to change the aspect in which his character must present itself to the scrutiny, and abide the judgment of future ages. When the passions engendered in our late and severe political conflicts shall have subsided; when personal and local interests shall cease to employ their fallacies to pervert public opinion; when measures shall be appreciated by their remote as well as their immediate consequences, justice will then pronounce an impartial sentence on the merits of his public conduct. With the ample means we now possess of anticipating this decision, we should distrust our own judgments too much, and weaken the just influence of a virtuous and powerful incentive to noble actions, if we could hesitate to believe that his name will stand high on the list of our distinguished patriots and statesmen, and that the record of his public services will constitute one of the most admired and

instructive portions of the history of our country. The recent Presidential Election has produced less excitement than usually attends such a contest, especially when it involves, as in the present instance, a change of the persons to fill the offices of President and Vice-President. This unusual degree of repose in the public mind, is to be ascribed rather to the peculiar attitude in which the adverse parties were placed, than to any want of a proper solicitude in the mass of the people, as to the character and principles of their political agents. The present administration had been so decidedly approved and firmly sustained by the people, that those who engaged in the election with a view to secure to the country the continuance of its wise and enlightened policy, reasonably anticipated a favorable result; while those who designed to effect a political revolution, foresaw inevitable defeat, should the contest be so conducted as to involve a direct expression of public opinion, upon a system of measures varying essentially from that upon which our political affairs had been heretofore conducted. Abandoning all hope of success by the votes of the electoral colleges, they resorted to devices, openly avowed in some quarters, and but poorly disguised any where, to prevent a choice by the electors, and bring it to the House of Representatives, where the relative power of the States would be lost, and the largest reduced to an equality with the smallest. This expedient has been signally defeated, and the public voice, expressed in the most direct and democratic mode provided by the Constitution, has designated as successor to the present Executive, the candidate who was supported by the people, on account of his peculiar fitness to sustain the principles, and carry forward the leading measures of the present administration.

The attention of the Legislature has been repeatedly called to the condition of our judiciary system. Such has been the increase of business in our higher courts that they cannot, as now constituted, prevent con-

siderable delay in the administration of justice. Although this evil is more immediately felt by those who are compelled to resort to our judicial tribunals for the redress of wrongs, all classes in the community are interested in providing an adequate remedy. The well-being of society, and the success of all our institutions, depend, to a considerable extent, upon the prompt administration of the laws. This end can be fully attained, only by so enlarging the judiciary system as to make it commensurate with the increase of business resulting from our progress in

wealth and population.

It is generally conceded that something must be done on this subject but hitherto all attempts to accomplish it have failed, as I apprehend, by reason of a diversity of views as to the kind of modification that will, in the best manner, accommodate this branch of the Government to the present and future exigencies of the State. Of the several improvements in the organization of the supreme court which have been proposed, that of increasing the number of judges best commends itself to my judgment. The addition of two judges to the present number, would relieve the court from the burden of business that now oppresses it, secure a more speedy decision of causes, and, for many years to come, render it adequate to the public exigencies. If it shall be deemed expedient to make such a change in the court of chancery as will withdraw from the circuit judges the equity business which they now discharge as vice-chancellors, a less number would be enabled to execute the duties which would then be required of them. Five or six would be sufficient, now and for some time hereafter, to despatch all the business that would devolve on them as circuit judges.

In the court of chancery the accumulation of business greatly exceeds that in the supreme court. The delays are here more protracted, and the consequences to suitors more serious. Here too, the difficulties of devising an adequate mode of relief seem to be more formidable. It is, I believe, the general opinion of those who best understand the nature and course of business in this court, that the multiplication of officers subordinate to the Chancellor, will not effectually overcome the present defect in the constitution of the court. To lay any considerable restraint on the right of appeal from a subordinate jurisdiction, might also be but little better than a denial of justice, and would be scarcely more tolerable than a refusal of it, by neglecting to provide tribunals for its prompt administration. If the course of appeal is kept open, we have already abundant evidence that the amount of business, in this way, thrown upon the Chancellor, will be more than any man, whatever may be his capacity of mind, his professional acquirements, or physical abilities, can possibly discharge.

If such would probably be the result of the modification suggested, then there appears to me to be only one other mode of improvement that will be likely to accomplish the desired end; and that is, to provide for the appointment of an additional number of equity judges, to be located in different parts of the State, possessing concurrent jurisdiction with the Chancellor—and to allow appeals to be made directly from each judge to a court of review, without subjecting the new officers to the appellate jurisdiction of the Chancellor. The State might then be divided into

convenient districts, with a Chancellor in each who should have exclusive jurisdiction therein; or, parties might have the liberty of selecting such court as, at the time, should be least burdened with business. The Chancellor and his associates might be organized as a court of appeals, of which he should be the presiding officer. Into this court all equity causes should be brought before being carried to the court for the correction of errors. The right of appeal to this latter tribunal might then be limited to cases of great importance, either in principle er a mount, or appeals might be discouraged by imposing heavy damages and costs upon those who should litigate in the court of the last resort, matters of trifling moment.

I submit these suggestions with some degree of diffidence, knowing that they are open to objections, but in my view of the subject, to fewer in number and less weighty in character than those which present themselves to the other modes of reorganizing the courts of chancery which have been brought under my consideration. The subject is one of great importance. It calls for deliberate reflection, but the public interest also calls for final action upon it. I apprehend that nothing effectual for the purpose of substantial relief can be done without an amendment to the Constitution, and this will necessarily defer for two years at least the completion of any measure you may approve. I commend it to your early attention, in the hope that you will be able to unite on some plan for improving our judiciary system before the close of the present session.

Although I have gone somewhat into detail in these suggestions, I deem it important that any amendments of the Constitution in regard to this subject that you may propose, should be general in their character, laying down only the outlines of the system, and leaving them to be filled up by the Legislature. This is the only certain mode of securing the concurrence of your successors and the people, who must also pass upon the plan which you may recommend; and in this way only can the details be left open to such modifications as time and experience may suggest, without the necessity of again amending the Constitution.

The enterprise and energies of the people of this State, are powerfully directed to the acquisition of individual wealth; and the course of legislation, naturally controlled by public opinion, has been turned to objects subsidiary to this absorbing pursuit. This is not to be regretted, if other great interests, intimately connected with the public welfare,

have, at the same time, been properly cherished.

Public virtue and intelligence are better than national wealth, for they are essential to its security and rightful enjoyment. Education in all its branches, but particularly in that which includes the common schools, is the highest object of public concern; and the duty of promoting and extending it, is in all respects, the most important that can engage your attention. The subject assumes at this time a new interest, because more ample means than the State has hitherto possessed, are placed within your control, and may be devoted to extend the blessings of popular education. By the deposite law of the last session of Congress, more than five millions of the surplus revenue of the United States, are to be entrusted to the safe keeping of this State until it shall

be required by the General Government. Unless some unexpected change shall take place in our public affairs, it is not probable that any considerable part of this deposite will be soon withdrawn. The benefit which the State will receive, if it shall accept of the trust, as I think it should, will be the interest to be derived from the investment of the money deposited. According to the plan of investing it, which I shall hereafter suggest, an annual income during the time the deposite remains, of about \$300,000, may be added to the funds already devoted to the cause of education. I respectfully recommend that an amount of this income about equal to the sum now annually distributed to the common schools, should be applied as this sum now is, to their support; thus making the annual distribution to them from the Treasury \$220,000. I also recommend that a liberal portion of this income should be appropriated to the academies in such a manner as will not only increase the amount annually distributed to them, but also improve the Literature Fund; having in view principally the design of rendering them more efficient as seminaries for educating common school teachers. And I further recommend, that the remainder of the income from the deposite money be added to the capital of the Common School Fund.

The propriety of the last branch of this recommendation, may perhaps be less obvious than the two former, and may therefore require some explanation. It should not be forgotten that this deposite is only temporary, and that in the course of a few years, perhaps sooner than is now anticipated, it may be withdrawn. By such an event, the State will of course be deprived of this source of income. Should the whole of it be annually expended in the support of common schools, it would require some time to place them in a condition to avail themselves, to the best advantage, of this great increase of means; and when brought into such a condition, they would decline, should these means be wholly withdrawn, and the system be thrown back for support on the present School Fund. The consequences of a retrograde movement in this important branch of education, are justly to be feared, and, if possible, The benefits of a sudden impulse that cannot be long continued, are not to be compared with the advantages of an enduring improvement, in what is properly regarded as the foundation on which the success of the system mainly depends—the fund inviolably devoted to its support. In connexion with this view of the subject, it should be recollected that the present fund cannot expand in proportion to the increased wants of the State. The unsold public lands constitute the only means now belonging to it of increasing its productive capital, and they are not of great value. I, therefore, think it wise in every point of view, that while you are greatly increasing the public benefaction to this most useful of all purposes—the general education of the people you should, to a considerable extent at least, devote the temporary means now placed within your reach, to enlarge the permanent fund on which the system rests, and thereby not only guard it against the evil effects of a decline, but ensure its gradual advancement. The importance of providing competent teachers, and the embarrassments under which the system has hitherto labored for the want of them, must, I

think, commend to your favorable regard the suggestion of devoting a part of this income to institutions designed to supply this deficiency.

The general superintendence of the academies, including, as a matter of course, the departments erected therein for the instruction of commo i school teachers, is committed to the Regents of the University. The members of this Board are widely dispersed over the State, serve without compensation, and rarely assemble in the recess of the Legisture. There would seem to be a fitness in giving the immediate direction and supervision of these departments to the same authority that superintends the common schools. This authority has been for a long time exercised by the Secretary of State; and the very satisfactory manner in which these arduous and complicated duties have been discharged by that officer, should, I think, disincline you to yield to the suggestion which has of late been made, of creating a separate department, to be charged with the superintendence of public instruction. Should it be necessary to do any thing upon this subject, and I apprehend it will be, if, to the present duties of superintending the common schools, the direction and supervision of the departments for the instruction of teachers should be added, all the desired results would probably be attained by allowing the Secretary of State an additional deputy, to aid him in the performance of this portion of his official duties. An arrangement analogous to this was made in the Comptroller's office, in relation to he canals, which has proved serviceable as well as satisfactory to the public. It is worthy of your consideration, whether this is not a fit occasion to examine the common school system with a view to improvements. The changes most desired have reference rather to the efficient execution of the details of the present system, than to any alteration in its essential features. The system, as it is, though not faultless, has not such striking defects as to render it wise to make hazardous experiments upon it. If not in all respects so perfect as could be desired, it is generally conceded, all circumstances considered, to be the best anywhere in operation.

I should not do justice to the patriotism and public spirit of the times, if I should pass unnoticed and uncommended, the individual efforts now exerted, in a higher degree and in a more efficient manner than heretofore, for the promotion of popular instruction. Convinced that the security of property and the preservation of civil rights,—that domestic happiness and public prosperity are sustained and promoted by diffusing edution through all ranks of the people, men of literature are devoting their talents, and men of wealth are freely contributing their means to give success to the cause of public instruction; and assisted, as I doubt not they will be, by the powerful co-operation of the Legislature, its rapid

advancement may be confidently anticipated.

The whole number of organized school districts in this State, in 1835, was 10,207. From 9,696 of these, reports have been received by the Superintendent. The number of children between five and sixteen years of age, residing, on the 31st of December of that year, in the districts from which reports have been received, was 538,398, and the number instructed within that year was 532,167. The amount of public money distributed in the same year, was \$313,376.91. In this sum is included the \$100,000 paid from the income of the Common School Fund, and \$19,873.58 derived from town and local funds. The residue, amounting to \$193,503.33, was raised by taxation on the property of the several towns and cities. A further sum of \$423,643.61 was paid by the inhabitants,—thus making the total amount expended in 1835, \$739,020.52, all of which, except a few thousand dollars expended in the city of New-York on school-houses, was applied to the payment of teachers' wages.

Though the common schools forcibly commend themselves to the liberal patronage of the Legislature, as institutions calculated to exert a powerful influence upon the destiny of the State, our colleges and academies are not to be viewed with unconcern. They are important to the general system of education, and are worthy of your fostering care.

The annual report of the Regents of the University, presented at the last session, shows them to be in a prosperous, and, generally, in an improving condition. That document, and a similar one which will be presented to you in the course of this session, will furnish the information required to guide your action in relation to them. In various parts of the State there are academies in a flourishing condition, that are, not under the supervision of the Regents of the University, and do not therefore receive any portion of the income of the Literature Fund. If public usefulness constitutes a claim to share in the public bounty, some of these academies should be allowed to do so. I therefore recommend that seminaries deriving their charters from the Legislature, should be permitted to subject themselves, under such regulations as may be deemed proper, to the visitation of that body, and partake of the avails of the Literature Fund.

At the last session of the Legislature, an act was passed providing for the establishment of a State Lunatic Asylum. Shortly after its passage commissioners were appointed to select a suitable site for the Institution. They entered on their duties in May, but owing, I believe, to some difficulties, they have not yet completed their arrangements in relation to its location. It is to be regretted that there has been any delay in carrying into effect a measure which promises to be of such signal advantage to a severely afflicted class of our fellow-beings.

Our penitentiary establishments continue to present favorable results. The total number of convicts in them on the first of December last, was 1,382, being 69 less than they contained a year previous to that date.

The number discharged by pardons the last year has been less than that of the previous year. The number of commitments at each prison has considerably diminished. In the Mount-Pleasant prison, the number has decreased for the last four years, with the exception of 1834, and in the past year it was 107 less than in 1832. The accounts of the Auburn prison exhibit a like favorable result in this respect. The commitments during the last year were about 60 less than those in the preceding year, and less also than they have been in any year since 1831. It is gratifying to have this satisfactory evidence that while our population is increasing, the commission of crimes is less frequent. Favorable reports have been received from both prisons in relation to the health and general good conduct of the convicts.

The fiscal affairs of the prisons are also in a good condition. In the Mount-Pleasant prison the earnings have exceeded the expenditures during the year ending on the 30th of September, \$15,322.81. Considerable progress has also been made in erecting a prison for female convicts; a range of the building, containing seventy-two cells, has been completed.

The balance in the hands of the agent of the Auburn prison, at the end of the fiscal year, was \$2,833.21. In consequence of a want of surplus funds, nothing has yet been done at this establishment towards building a prison for female convicts. The law requiring the sheriffs to be paid, out of the surplus earnings, for transporting convicts to the prisons, has subjected the funds to heavy drafts. This item of payments at the Auburn prison has amounted to \$7,677.87 since the first of June, 1835, while the payments on this account, at the Mount-Pleasant prison, were but \$2,559.07.

The Common School Fund has now a capital of \$1,917,494.17, and yielded a revenue last year of \$118,486.67. Of this income, \$110,000 is hereafter to be annually apportioned to the common schools through-

out the State, and applied to the payment of teachers' wages.

The capital of the Literature Fund is \$267,142.87, and the revenue derived from it last year was \$18,271.11. The sum of \$12,000, from the income of this Fund, is annually distributed to the academies under the supervision of the Regents of the University, and the further sum of \$3,200 is appropriated to the support of departments in eight of them, instituted for the instruction of common school teachers.

The capital of the Bank Fund has accumulated to the sum of \$538,-861.50, and the revenue for the last year was \$22,021.27. This sum will pay the salaries of the Bank Commissioners, and leave for distribu-

tion among the contributing Banks, \$16,000.

It became necessary in the course of the last fiscal year, in order to meet the demands on the Treasury, to make temporary loans from the Literature, the Bank and the Common School Funds, amounting in all to \$338,309.69. The means in the Treasury at the end of the year applicable to the reimbursement of that sum, were only \$59,315.89. The balance, of the temporary loans, being \$278,993.80, can only be paid by new loans. Including this balance, the debt chargable on the

General Fund is \$1,147,972.82.

On the first of July last the surplus revenue derived from the Erie and Champlain Canal Fund, had amounted to a sum amply sufficient to pay off the remainder of the debt contracted for the construction of these two canals. By this event the auction and salt duties were discharged from the constitutional pledge securing them to that Fund, and restored to the Treasury for general purposes. This addition to the income of the General Fund will make it adequate to the charges on the Treasury for the ordinary expenses of the Government. The portion of the canal debt incurred on account of the Erie and Champlain canals, yet unpaid, amounting to \$3,582,502.73, being provided for by the surplus revenue, may be considered as paid. But there is yet a further canal debt including the temporary loans made during the last year, of \$3,214,304, contracted on account of the Oswego, the Cayuga

and Seneca, the Chemung, the Crooked Lake and the Chenango canals, and to this sum must be added about \$3,000,000, to be incurred in the construction of the Black River and the Genesee Valley canals, for the reimbursement of which, relying solely on the income from these canals, the prospect is very faint and distant. Indeed it cannot be doubted that for many years to come, other means than this income must be resorted to even for the payment of the annual interest on this debt.

In various parts of the State much solicitude is felt for the further extension of works of internal improvement. Considering the magnitude of those now authorized, some of which are scarcely commenced, the expediency of embarking in others at this time may be questionable. The future expenditure on public works already authorized by the Legislature, including the enlargement of the Erie canal, will amount to more than \$15,000,000, besides the \$3,000,000 for which the State has loaned its credit to the New-York and Erie Rail-Road Company. I have presented my general views on the important subject of internal improvement in former messages, and to them I respectfully refer you for my opinions as to the system of finance which should be adopted; the character of the works in which the State should engage; and the extent to which the benefits of the system of internal improvement can be reasonably diffused.

The Chenango canal may now be considered as completed. It is entirely so, with the exception of one reservoir, and will be ready for use at the opening of navigation in the spring. This will add ninety-six miles to our line of canal navigation, making in all six hundred and fifty miles. By these canals a water communication is opened from the Hudson river to the northern and western lakes, to the principal inte-

rior lakes of the State, and to the Susquehannah river.

The Chenango canal has cost about \$2,000,000. Claims for damages are yet to be adjusted and paid, the amount of which cannot be accurately estimated; and allowances to contractors are also authorized to be made, which will probably be about \$250,000. As this canal has not yet been in operation, any estimate of the receipts from it must be conjectural; they will not, it is believed, be equivalent to the expense of repairs, superintendence, and interest on the debt contracted on account of this work. The income from the lateral canals during the last year, was \$94,507.65 less than the payments on their account, including the interest on the debt. This deficiency exceeds that of the preceding year, by more than \$50,000. The annual deficits of these canals have been paid from the treasury, and have greatly augmented the debt chargeable on the General Fund. During the next year, there will be added to this amount of deficiencies, an item, larger, probably, than any other, on account of the Chenango canal.

The total amount of tolls, for the year ending 30th September, on the Erie and Champlain canals, was \$1,548,536.18, and the whole income of the fund belonging to these canals, from all sources, was \$1,947,483.61; and after deducting all expenses, the nett revenue is \$1,341,934.96. The tolls on the lateral canals for the same year, are

\$56,714.54. On each of the canals, there has been a considerable increase in the amount of tolls received.

During the last season, the Canal Commissioners caused parts of the routes for the Black River and the Genesee Valley canals to be re-surveyed; and it is expected that the entire lines of both will be put under contract in the course of the next season. Considerable progress has also been made towards executing the important measure of enlarging the Erie canal. The Commissioners have already entered into contracts for different kinds of work to be done at various points on this canal, from the Hudson river to Rochester, which will involve an expenditure

of about \$2,800,000.

Your early attention is respectfully invited to that provision of the act of Congress, regulating the deposites of the public money, which proposes to entrust the surplus to the States. Whatever may be your opinion as to the course of legislation which has resulted in accumulating such a vast amount of revenue beyond the wants of the Government; whatever views you may entertain as to the mode which has been adopted for disposing of it; however strong may be the objections to the unequal ratio of distribution, you will not hesitate, I presume, to accept the deposite on the proposed terms. You will, therefore, provide for giving the certificate required by the 13th section of that act, subjecting the State to a legal obligation for the safe-keeping of the sum that shall be received, and pledging its faith for its re-payment. In the provision you may make for receiving and investing the proportion of the public money allotted to us, you should constantly bear in mind, that the State is not the owner but the depositary of this fundbound, in good faith, and in interest too, to deliver it up whenever it shall be required for the wants of the General Government. amount to be deposited with the several States, is about \$36,000,000. If the exigencies of the General Government shall require this amount and that such will be the case, sooner or later, we ought not to indulge a doubt—it must resort to the fund thus deposited with the States, or to taxation, to satisfy its wants. By the constitutional rule of apportioning direct taxes, the quota which would be required of this State, in order to raise a sum for the General Government equal to that to be deposited with the States, would be about \$616,000 more than the sum which it will receive under the provisions of the present deposite law. Regarding this deposite as a favor to the States, we have a just cause of complaint against the principle on which the distribution is made. Claiming, as in fairness we have a right to do, the same ratio in apportioning favors of this sort, as that which is established for imposing burdens, New-York will receive, by the operation of this law, less than its just proportion, by this large amount. Our interest, therefore, reinforces the obligations of good faith upon us—if they could ever be supposed to need reinforcement—to consider the sum that may be received in no other light than a mere deposite, and to hold the General Government also bound in good faith, to resort to the fund thus deposited, rather than to taxation, to supply any future deficiency in its. ordinary revenue to meet the demands upon its treasury.

In devising a plan for the investment of this deposite, you will cer-

tainly not be unmindful of the consideration that all classes of our citizens, in all parts of the State, have a just claim to participate in its benefits; that plan, therefore, which gives the widest diffusion to these benefits, is to be preferred to all others. Having regard to this object, as well as to the productiveness of the fund, I respectfully recommend that the money to be received under the deposite law should be distributed among the several counties of this State, for the purpose of being loaned therein. There would be no difficulty, I presume, in loaning the money to individuals, on abundant and certain security, at the legal rate of interest. By this mode of investment, it will yield to the State, after paying the loan officers a liberal compensation for their services, an income of at least six per cent. It would thus be distributed equally throughout the State, and all interests would partake of its benefits. To the agricultural interest, which, on account of its magnitude and importance, is entitled to your particular consideration, this plan of distribution will afford accommodations to a larger extent, and in a better manner, than any other that has been suggested. It will, in a great degree, relieve such among that class of citizens as are under the necessity of borrowing money, from the hard terms which private lenders too often impose, and from the embarrassments of bank loans, arising from short credits, and the withdrawal of accommodations when they are most wanted. any mode of accommodating the public at large with the use of this money, through the agency of the banks, there appears to me to be invincible objections; nor have I been able to regard with favor the plan which some have suggested, of spending it, or any part of it, on works of local improvement. This mode of expenditure would be partial as to its advantages. It would convert the deposite into a State debt, with no prospect of immediate income. The money expended could never be recalled, and only refunded by imposing a general burden on the whole State, and subjecting large portions of the people, benefitted but slightly, and perhaps not at all by the expenditure, to contribute equally with all others towards its repayment.

If the recommendations heretofore made in relation to the appropriation of this income, are adopted, the whole of it, amounting to about \$300,000 annually, will be devoted to the purposes of education; and I can conceive of no other use to which it can be applied, that will in an equal degree contribute to the present and future welfare of the State.

In contemplating the advantages which may be derived from this surplus revenue, we ought not so far to overlook the true interests of the people, or disregard the reciprocal rights and duties of the Federal and State Governments, as to yield the slightest approval to a policy of legislation by the General Government, that has in view the accumulation of surplus funds to be distributed among the States, or even temporarily deposited with them. I am unable to persuade myself that the people of the United States can be induced to regard as a boon any distribution of their own money, needlessly extracted from them by taxation, even if the whole amount thus taken could be restored; but this can never be the case, because a considerable sum must be retained to pay the expenses of collection. Aside from their interest, it would ill comport with their character as citizens of sovereign States, to become

tributaries to the General Government, for the sole purpose of receiving back a part of the very contributions they had been required to pay. The States are certainly capable of judging of their own wants, and have the power and ability to satisfy them; they will not, therefore, it is hoped, be so unmindful of what is due to themselves as sovereign political communities, as to confer upon another government the discretion of judging of their necessities, and also the right of providing for them, by imposing such taxes as it pleases upon their citizens. exercise of this power by the General Government, if acquiesced in by the States, would undoubtedly be attended with pernicious consequences: It would create new relations between the Federal and State authorities, and derange the operations of our political system. The right of taxation was not conferred on Congress for any such purpose, and I trust such an exercise of it will never be sanctioned by public opinion. It is undoubtedly the duty of the General Government to adopt such measures as will effectually relieve the people from useless burdens, by reducing its revenues to its necessary wants.

The present condition of our pecuniary affairs, and the course of legislation generally anticipated in relation to subjects connected with the currency, seem to require of me some further views on this topic than those presented in my former messages. The experience of the last year has given much dear bought instruction. It must now, I think, be generally conceded that the increase of what is called banking capital has no agency in preventing and very little in removing a pressure in the money market. Such a pressure is ordinarily the result of overtrading. This is undoubtedly the principal cause of our recent and present difficulties, but they have been greatly aggravated by a combination of other causes, the chief of which is the operation of the deposite law of Congress. A large amount of the surplus revenue had accumulated in the city of New-York. The use of it had been required by the exigencies of commerce. The deposite banks, yielding to the public demand, and fulfilling the expectations of the government, had accommodated the commercial community, to the extent of the means in their possession. After the money had thus been loaned, the collection and transfer of any considerable portion of it, or even the measures preparatory to such a transfer, would at any time and under any circumstances have disturbed the business relations of the country, and never could there have been a more unpropitious conjuncture in our pecuniary affairs for such an operation than that which existed when it became necessary to execute this law.

In prosperous times men too frequently forget to proportion their business transactions to their means. Wherever there is a system of credit—and one of some kind or other must exist in every commercial state—that system will be occasionally overwrought, and for a season at least, become more or less disordered. It is the course of business and not the character of the system that produces this result; but all systems of credit are not, therefore, equally good, nor is the effect of legislation upon them a matter of public unconcern. Laws may force things out of their natural channels, and obstruct the free operation of those causes which must be mainly relied on to administer relief in sea-

sons of general embarrassment. I do not expect in any state of things that the occasional recurrence of such seasons will be avoided; but when all useless and injurious restraints are removed, speculators and men of business, who, in their ardent pursuit of wealth, have transgressed the limits prescribed by prudence to their operations, will be left to struggle with the difficulties they have created for themselves as well as for others, without a pretence for imputing to the laws of the land the effects of their own unwise conduct. Banks offer tempting facilities to those who in easy times are inclined to use them too freely. They then lend not only their capitals but their deposites, and the amount of bills which can be kept in circulation. Being debtors to the amount of their circulation and deposites, and the more exposed as this amount is payable on demand, they have to provide for their own wants in times of pressure and panic, and cannot therefore afford the usual accommodations to their customers, when the necessity for such accommodations is most urgent. A policy which makes those institutions the main resource of the community in such emergencies, does not seem to evince the highest degree of wisdom. ability, in no case expands, but generally contracts, as the public wants increase.

In every country where banks, with the exclusive privilege of furnishing the circulating medium, are numerous, and particularly where the business of loaning money is embarrassed by restraints imposed on other associations, and on individuals, it is reasonable to expect that pecuniary pressures will be frequent and severe; and if not more frequent, they will probably be more severe, and continue longer than in countries where all sources of relief are left entirely open, and competition is permitted to operate freely in adjusting the relation of equality between demand and supply. In this respect, the operation of the statute usually called the restraining law, so far at least as it denies to individuals and associations the right of receiving deposites and making discounts,

It is the essential characteristic of private property, that the owner should not only have the right of exclusive possession, but the liberty of free use, modified only by the equal rights of others to enjoy their own property, and the public right to provide for the general welfare. The reasons, therefore, that should induce the Legislature to enact or continue any law circumscribing the rights of individuals in relation to their private property, must arise from a strong and clear necessity of providing for the well-being of society. I have not been able to convince myself that any such consideration can be adduced in support of that part of the restraining law, which interdicts to the community at large the right of receiving deposites and making discounts. If it originated, as is generally believed, in a desire to give this kind of business exclusively to incorporated banks, and subserves no better purpose than to carry out this design, I anticipate a ready disposition on your part to repeal it.

There is nothing, I believe, in the history of the times when this law was first enacted, which is calculated to inspire a high degree of respect for it, or from which sound arguments for its continuance can be fairly deduced.

The restraint in respect to deposites and discounts, being regarded as injurious to the public, and devised as a special favor to the banks, the law that imposes it is not efficiently sustained by the moral sense of the community, and is constantly evaded with impunity. The efficacy of laws depends, in a great degree, upon the concurrence of public opinion in their favor; and when for the want of this sanction, particular enactments are in a great degree inoperative, they should be repealed, that the evil example of disregarding them may not weaken the force of the salutary sentiment which all should feel—that obedience to laws, without regard to individual opinions as to their expediency, is a high mo-

rai duty.

While I am decidedly of opinion that the restraining law ought to be so modified as to permit individuals to receive deposites, make discounts and keep offices for such purposes, I feel bound by a strong sense of duty, to urge upon you the necessity of retaining that part of it which prohibits the issue of "notes or other evidences of debt to be loaned or put in circulation as money." To some extent this clause may perhaps be safely modified, but not so far as to expose the public to the evils of an unsound paper circulating medium. If persons, either in their individual capacity or associated as partners, are permitted to issue such kind of notes as will be likely to be used in the ordinary transactions of business, the soundness of our currency will inevitably be impaired. In my opinion, no supervision by public authority that can be devised—no regulations short of a prohibition to issue such notes, would constitute a sufficient safeguard against the evils to be apprehended.

The claim to make the paper currency of the country, stands upon a foundation very different from that which asserts the right to use private property in any and all kinds of business transactions. There is a broad distinction between free trade in money and the unrestricted privilege of making a fictitious representative of money. If all have the right to use their money in any way they please, they can have no cause to complain that they have not also the liberty to make a substitute for the public use, which would not fail, in some instances at least, to be perverted to the public detriment. If individuals and associations were permitted to enter into rivalry with the banks, in supplying a paper circulation, without being laid under restrictions as effectual to prevent abuses as those now imposed on these institutions, and subjected to a supervision as constant and vigilant as they are, it would be idle, I fear, to hope for an exemption from the evils of an excessive and vitiated currency. The task of devising for all individuals and associations that might choose to issue bills for circulation, such restraints as the public good will require, would be very difficult, and that of securing the faithful observance of them, nearly or quite impossible.

The restriction imposed by all governments upon the power of coining money, has never been considered the invasion of a common right. The reasons which sustain this restriction upon the coinage of the precious metals, apply with equal force to the power of regulating and controlling the issues of paper money which is used as a substitute for a metallic currency. The right and the expediency of exercising a controlling power over both these subjects by the Legislature, arise from

the necessity of affording general protection against fraud and imposition. If the duty of the Government were to be graduated by the evils likely to ensue from a neglect of either, the care of sustaining the soundness of a paper currency, would seem to me to be the most imperative. My conclusion on this branch of the restraining law is, that the privilege of issuing a paper circulating medium cannot be claimed as the restoration of a general right which has been unnecessarily withheld by the Legislature, and that this power ought not to be confided to all individuals and associations that may desire to have it, because it cannot, in my judgment, be thus given without exposing the public to evils against which it is the duty of the Legislature to afford ample

and certain protection.

In connexion with the subject of repealing the restraints on this branch of business, it is highly probable that the policy of the usury law will be brought into discussion. The legislation of former times undoubtedly took a wrong direction (and the present age has not fully corrected the error), when it assumed the guardianship of private business transactions, and endeavored to regulate the judgment and control the discretion of men in relation to the management of their ordinary affairs. The usury law appears to me to be the fruit of this error. Money like other articles of merchandize varies in price; and the same arguments which sustain the policy of fixing its value by legislative enactments, might be applied with equal cogency to many other objects of traffic. I cannot conceive any sufficient reason for not leaving the price of money, like that of other commodities, to the free operation of the genral rule of demand and supply. We all know, that in defiance of the law, it is now, and ever has been, in a great measure controlled by this rule. Any man who has money to lend, can readily, if he chooses, get the market price for it, however high that price may be above the legal standard. The law undoubtedly embarrasses the negotiation between the borrower and lender, and subjects the former to the payment of additional charges, but the lender gets his price.

This succinct view of the object and operation of the usury law, would seem to indicate the expediency of repealing all its penal clauses. A more ample discussion of its policy, bringing under full consideration its supposed advantages as well as its injurious effects, would probably lead to the same conclusion. If, however, doubts should be entertained as to the propriety of going so far at this time, I think you should not hesitate to exempt from the penalties it imposes, all negotiations in regard to what may be properly considered commercial paper arriving at maturity within six months. This modification of the usury law should not, however, in my opinion, extend to banks or other incorporated companies. By the favor of the Legislature, the business of making loans and discounts is now mainly engrossed by them. They would, therefore, have it in their power, by withholding their accommodations when there is no necessity of doing so, to raise the rate of inte-The commercial community, confiding in the character of those who manage these institutions, may not apprehend any evils from this source; but the Legislature will not, I presume, feel itself at liberty to repose upon this security, and leave the public exposed even to the

chance of suffering by the abuse of this power. Besides, I am persuaded that the banks generally desire that the restrictions now imposed upon them in this respect, may be continued. They could scarcely hope to participate in the benefit of an increase in the rate of interest, without falling under the suspicion of having contributed to a state of things so decidedly advantageous to them.

I have in former messages expressed my views somewhat at large against the policy of increasing the banking capital of the state. I take the liberty to refer to them for an exposition of my present sentiments on that subject, and to recommend that you should abstain from granting any new charters, or increasing the capital of the existing banks at the

present session.

If I could anticipate a result different from what I conceive sound policy and public sentiment indicate, I should feel myself called on to state the decided objections which exist against the mode heretofore pursued, of distributing bank stock. I have at no time approved of that mode, and three years since suggested to the Legislature the expediency of a public sale or a change in the manner of distribution which would in my judgment prevent or at least mitigate the evils of it. These evils are much more manifest now than they were then. I shall, however, forbear further to urge the adoption of a remedy in the confident belief that you will not authorize any new stock of this description to be issued.

More than two years since the Executive, by the direction of the Legislature, opened a correspondence with the Governors of the neighboring States, in order to obtain a concurrence by those States with this in the measure of suppressing the circulation of small bills. It was generally conceded that such a measure would improve the paper circulating medium of the country. It is to be regretted that we have not had the general co-operation of those States in carrying it into effect. The bills of our own banks, under the denomination of five dollars. have been withdrawn from circulation, but similar bills from some of the adjoining States, though prohibited by law, yet continue to circulate here, particularly in the border counties. It is very desirable to provide for the effectual execution of the law prohibiting their circulation; and I recommend this subject to your attention. We have constantly new evidence of the wisdom of the law suppressing the circulation of small bills. A large amount of coin has been diffused through the community since this law went into operation. Our currency has acquired additional stability, and though the present pecuniary pressure has been quite as severe as any previous one, there has not been to my knowledge the slightest indication of a doubt as to its soundness; and the consciousness on the part of the banks, that they enjoyed unimpaired public confidence, has relieved them from all apprehensions of a return of their bills, otherwise than in the regular course of business; and they have therefore gone further than under other circumstances they could have done, to accommodate the public in this period of embarrassment.

The important measure of executing an accurate and complete geological survey of this State, and making a collection of its botanical and zoological productions, was adopted by the last Legislature. The appointment of the persons to perform this work, and the direction as to the manner of doing it were committed to the Governor. It was very desirable to have it executed by persons of unquestionable scientific qualifications, and much difficulty and some delay attended the selection of The appointments were, however, completed sufficiently early in the season to give an opportunity to the geologists to make a general exploration of their respective districts, preparatory to a more minute and accurate survey. These geologists, as well as the persons to whom the botanical, zoological and mineralogical departments have been committed, will prepare reports, to be laid before the Legislature at its present Considering the short space of time in which most of them have been engaged in this work, it would not be reasonable to expect that these reports will contain any thing like a full description of the geological character of their districts, or much minute information; but I anticipate that they will give such indications of the abundance and value of our natural resources, as will commend to general approbation, a measure so necessary to develop them, and to accelerate the period of applying them to various useful purposes. In the directions I have given for executing this undertaking, I have generally conformed to the outline presented in the report of the Secretary of State on this subject. I shall avail myself of another occasion, to lay before you a detailed statement of the plan which has been adopted for executing this sur-

In the present organization of the militia, it depends in a great measure for its efficient support, on the patriotism of those who are required to perform military service, and especially on that of the com-To equip and perform the duties imposed by law in missioned officers. a creditable manner, requires considerable time, and is attended with burdensome expenses; but I feel warranted in saying, that these duties have been as well attended to, and these burdens as cheerfully borne, during the last year, as at any former period. Personal observation enables me to speak of the militia of the city of New-York in terms of high commendation. It is gratifying to know, that the militia system is well sustained in that part of the State where its influence is most felt, and its aid is most likely to be needed. No State legislation can make this institution what it should be in the present circumstances of To Congress alone the duty appertains of reducing its burdens, preserving at the same time its general benefits and necessary efficiency. The numerical force of the militia of the State, as will appear by the Adjutant-General's report, shortly to be laid before you, is one hundred ninety-three thousand, six hundred and ten.

In the course of the last summer, I was informed that the United States were about to negotiate with the Indians, who had removed from this State to Wisconsin, for an exchange of their lands in that territory for what was deemed a more eligible country for them, west of the State of Missouri, and that it was intended that the treaties should embrace the tribes yet remaining in the State of New-York. As the provisions of the treaties would probably present strong inducements for them to join with their brethren at Green Bay in removing to this new and more desirable situation, I was requested to appoint a commissioner

to co-operate in these negotiations. Although I had not, as I conceived, the power to make such an appointment, yet as the proposed objects would be advantageous to the State, and still more so to the Indians residing therein, I requested Mr. Charles C. Brodhead to assist the U.S. Commissioner in the conferences with them, at the same time advising him that I had no legal authority to give him an appointment for such a purpose, and that he must rely, if he complied with my request, on such provision as the Legislature should choose to make for his compensation. He rendered valuable assistance to the U.S. Commissioner, and treaties were conclude! embracing our resident Indians, and offering most liberal terms to such as may be willing to emigrate. I herewith transmit the letter of these gentlemen, which contains an account of their proceedings, together with an exposition of the advantages held out by these treaties, to emigrating Indians. It is important to the present and future well-being of this race, that they should embrace this opportunity of removing from the contiguity of the white population; and I doubt not you will regard it as a duty to them and to the State, to do what can be consistently done to facilitate the execution of this I suggest to you the propriety of allowing a compensation to Mr. Brodhead for his services, and also of providing more effectually against the intrusion upon the Indian lands mentioned in the accompanying letter, and assigned as one of the causes of the unwillingness of the Indians to emigrate.

I also invite your attention to the laws regulating the pilots for the port of New-York. Complaints have been made that the present establishment is so limited as to their number, or so defective in its organization, as to be inadequate to subserve the wants of commerce. You will, I presume, investigate the causes of these complaints, and make such alterations and improvements in the laws on this subject, as will place the business of piloting in a condition to afford the highest degree of pro-

tection to life and property.

Having, in compliance with the injunction of the Constitution, presented to you the general condition of the State, and alluded to several important subjects which ought, in my opinion, particularly to occupy your attention, I shall, in concluding, avail myself of this occasion to render my grateful acknowledgments to the people of this State for having again confided to me the duties of their chief magistrate.—Deeply impressed with the responsibilities of the station, I shall devote my time and my abilities to their service, as the best return I can make for their generous confidence. Humbly trusting to the Wisdom which is from above, for assistance in our deliberations, I indulge the hope that we may be led to adopt such measures as will protect the rights, advance the interest, and promote the general prosperity of our constituents.

W. L. MARCY.

Albany, January 3, 1837.

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Letter from J. F. Schermerhorn and Charles C. Brodhead to Gov. Marcy.

Utica, 10th December, 1836.

SIR-

We have the honor to inform your Excellency that two treaties were concluded in September last, between the United States and the New-York Indians, copies of which are herewith transmitted to von. The first was made with the Indians belonging to the Six Nations, and the other with the Stockbridge and Munsee Indian. These treaties you will perceive, relate not only to that portion of the New-York Indians who reside in the Territory of Wisconsin, but also to those who still reside in the State of New-York. By these treaties it is designed to secure a permanent home for all the New-York Indians, and to provide the means for their removal to the Indian Territory west of the State of Missouri, and to furnish them with one year's support after they arrive there; and a permanent School Fund for the education of their children. The treaty with the Indians of the Six Nations, in addition to a country of equal extent to all their lands claimed by them in Wisconsin Territory and the State of New-York, provides for paying them \$40,000 to remunerate them for their expenses and trouble in procuring from the western Indians the Green Bay country, and settling the same; \$50,000 as a permanent School Fund, &c.; and \$250,000 for their removal and subsistance for one year, whenever they choose to emigrate.

The Stockbridge and Munsee treaty secures to them the entire nett avails for whatever their lands are sold for by the United States. It is believed that these treaties are very advantageous for the New-York Indians. First. Because the Green Bay country is not so well calculated for a permanent home for them as the country now assigned them west of the State of Missouri, for they are now already placed where they are in the same predicament with regard to our white population and laws, that induced them first to remove from the State of New-York. This country is also too far north for them, as they mostly depend for support on their corn crop, which very seldom comes to perfection with them, owing either to the seasons, or their want of good management, or perhaps both. Although they have now been settled in this country about ten years, they have never as yet, according to our information, made sufficient crops to sustain them through the year, and had it not been for their annuities, which have been principally expended in provisions, they must have suffered greatly. We can say from the personal knowledge of one of us, that the country new assigned to the New-York Indians by these treaties, is very eligibly situated, has a very fertile soil, calculated to produce all kinds of grain, particularly corn, on which the Indians most depend for a living, with extensive pasturage, well adapted to the pastoral life if they choose to pursue it; and where, with a very little industry and attention, all the necessaries of life are easily procured. The Indians that have emigrated to that country, after the first year, have generally been able to raise crops sufficient for their subsistance; and those who have resided there a few years, have

already become comfortable livers.

Secondly. It is considered an advantageous arrangement for those Indians, because their title to the Green Bay lands was only an Indian occupancy, such as the Menominees possessed before them; and which therefore secured no permanency to their settlements. This, with its northern geographical situation, were serious objections in the minds of many of the New-York Indians, to a removal to this country, and induced them to apply to the Government of the United States, to have lands assigned them in the Indian Territory west of the Missouri river. These treatise guarantee to them a permanent home without the Territorial limits of the States, and the quiet and peaceable enjoyment of the same, with the right to establish their own government and laws, subject only to the legislation of Congress according to the provisions of the Constitution of the United States.

Thirdly. It is an advantageous arrangement for the Indians, because in the exchange they obtain a much more eligible country, and of an extent equal to all their future necessities; and while it compels nome of them to remove thereto, it makes at the same time an ample provision of funds for the removal and subsistance for all who choose to emigrate, and for the education of their children. This will enable those who wish to remove to sell their present improvements, and with the avails thereof settle themselves more comfortably in their new homes than many of our own citizens have ever been able to settle a new country; for which they will receive the full value for their improvements, their homes will cost them nothing, and they will be removed and subsisted there at the expense of the States, and have the means furnished them to improve their condition, which at once must convince every candid person that the policy of the Government is both liberal and just towards them.

The treaty with the Indians of the Six Nations, your Excellency will perceive, is signed by the representatives of three only of those tribes, viz: the Oneidas, Tuskaroras, and St. Regis. It is, however, necessary to state why this is so; and we must therefore say, that they were the only portion of the Six Nations that ever were at any expense or trouble in securing and settling the Green Bay country, assigned by the Monominee treaty as a home for the Six Nations. The Senecas, Cayugas, Onondagas and Schuyler party of Oneida Indians, who have not signed the treaty, never contributed any thing towards the purchase of the Green Bay country, and therefore have never considered themselves as having any rights there, and this they give as one of the strong reasons for having nothing to do with the treaty which made a disposition of it to the United States.

The Menominee treaty, however, provided a future home for all the New-York Indians, who should remove to it in three years from the date of the treaty in February, 1831, or within such time as the President should prescribe. After that period, the lands were to be divided among the actual settlers, by giving to each such a quantity as the President should deem equitable and just, and the balance would revert to

the United States. The time for their removal was limited by the President to January, 1837, of which all the Indians interested have been duly notified, so that all the right of the New-York Indians to remove to Green Bay closes and terminates after this year. But a better country, however, is provided for them as a permanent home. These considerations induced the Commissioner on the part of the United States, after having concluded the treaty at Duck Creek, to visit the Indians still residing in the State of New-York, to submit and explain to them this treaty, and obtain their signatures to it if possible; and he was very happy, when he arrived at Buffalo, to meet the Commissioner sent on by your Excellency to aid in their negotiations; and those that were

contemplated with the Senecas in particular.

The Commissioners first met the Indians on the 12th of October, on Seneca Reservation, near Buffalo, at a time when they had been assembled for the payment of their annuities. After having explained fully the rights of the New-York Indians to the lands provided for them at Green-Bay, as a future home; and having announced to them that the President had limited their removal there to this year, the treaty was laid before them for their acceptance and assent. The Senecas were the first that replied, and stated that they claimed no right or interest in the lands purchased by some of the Six Nations at Green-Bay, and therefore would take no part in any disposition of them whatever; and if they had any claim to them, they had already relinquished it. There is, however, reason to believe, that their refusal to sign the treaty, arose from other considerations, and influence made use of by some of our own citizens to answer their own ends. We were informed, and there is no doubt of the fact, that some individuals, chiefs and principal men of the Seneca tribe, had granted leases for a term of years to our own citizens, for considerable portions of their most valuable lands and mill sites, for an annual rent of a very considerable nominal amount. gave the advisers of this measure the entire control of the Indians, although they well knew that the leases were illegal and could not be enforced; yet it served their purposes to work upon the Indians, and also upon the gentlemen who hold the right of pre-emption to these lands from the State of Massachusetts. And although the Legislature of this State, at their last session, refused to sanction leases of this description on the Allegany Reservation, still these leases are multiplying. state these facts, that your Excellency may be apprised of the principal difficulty that we had to encounter in bringing the Senecas to unite in this treaty, notwithstanding many of them are in favor of emigrating to the country assigned to the New-York Indians by the treaty, and which a delegation of their tribe have explored two years since. system of leasing by the Indians, should it be tolerated, will operate injuriously to them, for it will introduce a population among them, which has not, nor never can be a benefit to them in any respect, and must have a tendeucy only to encourage the Indians in indolence and dissipation. It is also a matter worthy of consideration, whether, if this system of leasing, set on foot by our own citizens, be permitted to go on, it is not a counteraction of the stipulations and agreements between the States of Massachusetts and New-York, which secures and gives the right of pre-emption of these lands to the former and thier assigns; while the latter retains only jurisdiction over them. At all events, we have no doubt, that as long as this course is pursued, it will be impossible to extinguish the Indian title, and make any satisfactory arrangements in reference to them.

The Cayugas, about one hundred and thirty in number, which are all that is left of this tribe in this State, reside on the lands of the Senecas, having none of their own. Their chiefs, as they informed us, would gladly have signed the treaty, but they were afraid to offend the Senecas, for fear they would drive them off their lands. They however wish the ratification of the treaty, and will no doubt remove to the

home which it provided for them.

About one-third of the Onondagas also live on the lands of the Senecas; and they were in a great measure operated upon by the same influences and considerations as the Cayugas, for they too wished to give no offence to the Senecas. They also stated that the treaty, if ratified, would make provision for them in common with all the New-York Indians, whenever they concluded to emigrate, and therefore they did not wish to give unnecessary offence to their brothers, the Senecas, by signing the treaty. The Schuyler party among the Oneidas, were, as far as we could understand, actuated by the views just expressed in declining the treaty. The fact is, that all the Indians residing in New-York are persuaded the treaty is a very advantageous one for them, and in reality they desire its ratification, without assuming the responsibility of signing it.

By communications lately received from Green-Bay and Buffalo, Tuscarora and Oneida, it is evident that a large party of the New-York Indians will remove west of the Mississippi as soon as they have had an opportunity to explore the country, and we are of opinion that if a liberal and generous policy is pursued, the New-York Indians will remove.

as a matter of choice, in a short time.

Of the Munsees, there are in this State only about sixty-three, and these are principally all under the care and direction of the Munsee chief who signed the Stockbridge and Munsee treaty; and his people are extremely anxious to remove, as they have no lands of their own in this State. We also understand that there are several Munsees in Upper Canada, who are also anxious to remove with the rest of their tribe to the west

We herewith also transmit you a copy of a supplement to the treaty with the Indians of the Six Nations, concluded this day, between the United States and the Oneidas still residing in this State, being part of the first Christian and Orchard parties.

We are, with much respect,

Your obedient servants,

J. F. SCHERMERHORN, CHARLES C. BRODHEAD.

To His Excellency, Governor MARCY. Ordered, That the message of his excellency the Governor be committed to a committee of the whole, and that ten times the usual number of copies be printed.

On motion of Mr. Maison,

Resolved, (if the Assembly concur,) That the joint rules of the Senate and Assembly which were in force at the last session of the Legislature, be adopted for the government of the two houses during the present session.

Ordered, That the clerk deliver a copy of said resolution to the Assembly.

On motion of Mr. Tracy,

Resolved, That when the Senate adjourns it will adjourn to meet at 11 A. M. until otherwise ordered.

Then the Senate adjourned until 11 o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M.—JANUARY 4, 1837.

The Senate met pursuant to adjournment.

Mr. McLean presented the petition of sundry inhabitants of the county of Washington, praying for an act incorporating a woollen and cotton manufacturing company, to be located at Granville; which was read, and referred to the committee on manufactures to be appointed.

Mr. Wager presented the petition of Amaziah Stebbins, a canal contractor, for relief; which was read, and referred to the Canal Commis-

sioners.

Mr. Livingston presented the petition of the president and directors of the Greenwich Bank, for an increase of its capital; which was read, and referred to the committee on banks and insurance companies to be

appointed.

Mr. Beckwith presented the memorial of Luther Pardee and others, praying for compensation for injuries sustained from the Minden Feeder dam; which was read, and referred to the committee on canals to be appointed.

'The report of the committee appointed at the last session of the Legislature to examine the Treasurer's accounts, was received and read.

[See Senate Document No. 4.]

Mr. Edwards moved the following resolutions:

Resolved, That so much of the Governor's message as relates to the judiciary system and an amendment of the Constitution, be referred to the committee on the judiciary.

Resolved, That so much as relates to colleges, academies and common schools, the Superintendent's office, the common school system and the literature and common school funds, be referred to the committee on literature.

Resolved, That so much as relates to the canal revenue and the finances of the State, be referred to the committee on finance.

Resolved, That so much as relates to canals and internal improve-

ments, be referred to the committee on canals.

Resolved, That so much as relates to the acceptance of the portion of the surplus funds of the United States to be distributed to this State for deposite, be referred to a select committee.

Resolved, That so much as relates to a modification of the restrain-

ing law, be referred to a select committee.

Resolved, That so much as relates to a repeal or modification of the

usury law, be referred to a select committee.

Resolved, That so much as relates to the increase of bank capital and the circulation of bank notes under the denomination of five dollars, be referred to the committee on banks and insurance companies.

Resolved, That so much as relates to the treaty for the removal of the Indians from this State, the compensation to the commissioner who assisted in the negotiation, and the intrusions upon Indian lands, be referred to the committee upon Indian affairs.

Resolved, That so much as relates to the laws regulating pilots for

the port of New-York, be referred to a select committee.

Ordered, That Mr. Tracy, Mr. Hunter and Mr. Johnson, be a committee on claims.

Ordered, That Mr. L. Beardsley, Mr. Young and Mr. Paige, be a committee on finance.

Ordered, That Mr. Edwards, Mr. L. Beardsley and Mr. Maison, be

a committee on the judiciary.

Ordered, That Mr. Maison, Mr. H. F. Jones and Mr. Spraker, be a

committee on the militia.

Ordered, That Mr. Livingston, Mr. Armstrong and Mr. Dickinson, be a committee on canals.

Ordered, That Mr. Mack, Mr. J. Beardsley and Mr. Livingston, be

a committee on rail-roads.

Ordered, That Mr. Willes, Mr. J. P. Jones and Mr. Huntington, be a committee on roads and bridges.

Ordered, That Mr. Young, Mr. Paige and Mr. McLean, be a com-

mittee on literature.

Ordered, That Mr. Hunter, Mr. Edwards and Mr. Van Dyck, be a committee on State prisons.

Ordered, That Mr. Armstrong, Mr. Powers and Mr. Wager, be a

committee on banks and insurance companies.

Ordered, That Mr. Beckwith, Mr. Mack and Mr. J. P. Jones, be a committee on the division of towns and counties.

Ordered, That Mr. Lacy, Mr. Huntington and Mr. Lawyer, be a committee on agriculture.

Ordered, That Mr. Loomis, Mr. Downing and Mr. Willes, be a committee on manufactures.

Ordered, That Mr. J. Beardsley, Mr. Beckwith and Mr. Lawyer, be committee on privileges and elections.

Ordered, That Mr. Huntington, Mr. Van Dyck and Mr. Fox, be a committee on engrossed bills.

Ordered, That Mr. Fox, Mr. Loomis and Mr. Edwards, be a com-

mittee on Indian affairs.

Ordered, That Mr. Wager, Mr. Dickinson and Mr. McLean, be a committee on expiring laws.

Ordered, That Mr. Downing, Mr. J. Beardsley and Mr. Willes, be

a committee on expenditures.

Ordered, That Mr. Seger, Mr. McLean and Mr. Johnson, be a committee on the incorporation of cities and villages.

Ordered, That Mr. Powers, Mr. Sterling and Mr. Tracy, be a com-

mittee on public buildings.

Ordered, That Mr. Spraker, Mr. Seger and Mr. Johnson, be a com-

mittee on the poor laws.

Ordered, That Mr. H. F. Jones, Mr. Lacy and Mr. Loomis, be a committee on charitable and religious societies.

Ordered, That said resolutions be referred to the committee of the

whole when on the Governor's message.

The Senate then resolved itself into a committee of the whole on the Governor's message; and after some time spent thereon, Mr. President resumed the chair, and Mr. Armstrong, from the said committee, reported that the committee had agreed to certain resolutions; which report was agreed to by the Senate.

Thereupon,

Resolved, That so much of the Governor's message as relates to the judiciary system and an amendment of the constitution, be referred to

the committee on the judiciary.

Resolved, That so much as relates to colleges, academies and common schools, the Superintendent's office, the common school system, and the literature and common school funds, be referred to the committee on literature.

Resolved, That so much as relates to the canal revenue and the finances of the State, be referred to the committee on finance.

Resolved, That so much as relates to canals and internal improve-

ments, be referred to the committee on canals.

Resolved, That so much as relates to the acceptance of the portion of the surplus funds of the United States, to be distributed to this State for deposite, be referred to a select committee, consisting of Mr. L. Beardsley, Mr. Tracy and Mr. Van Dyck.

Resolved, That so much as relates to a modification of the restraining law, be referred to the select committee heretofore appointed on that

subject.

Resolved, That so much as relates to a repeal or modification of the usury law, be referred to a select committee, consisting of Mr. Young, Mr. Beckwith and Mr. Dickinson.

Resolved, That so much as relates to the increase of bank capital and the circulation of bank notes under the denomination of five dollars, be referred to the committee on banks and insurance companies.

Resolved, That so much as relates to the treaty for the removal of the Indians from this State, the compensation to the commissioner who assisted in the negotiation, and the intrusions upon Indian lands, be

referred to the committee on Indian affairs.

Resolved, That so much as relates to the laws regulating pilots for the port of New-York, be referred to a select committee, consisting of Mr. Livingston, Mr. Hunter and Mr. Downing.

On motion of Mr. Edwards,

Resolved, (if the Assembly concur,) That so much of the Governor's message as relates to the investment and distribution of the portion of the surplus funds of the United States, to be distributed to this State for deposite, be referred to a joint committee of the two houses.

Ordered, That Mr. Paige, Mr. Armstrong and Mr. Lacy, be said

committee on the part of the Senate.

Ordered, That the clerk deliver a copy of the said resolution to the Assembly.

Then the Senate adjourned until 11 o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M.—JANUARY 5, 1837.

The Senate met pursuant to adjournment.

Mr. Maison presented the petition of residents in Franklindale in Dutchess county, praying for an act to incorporate a fire company at that place; which was read, and referred to the committee on the incorporation of cities and villages.

Mr. Wager presented the petition of sundry inhabitants of the counties of Oneida and Madison, for the erection of the new town of Oneida; which was read, and referred to the committee on the division of towns

and counties.

Mr. Paige presented the petition of George Kinsella, of the city of Schenectady, praying for damages sustained from the making of the Erie canal through his land; which was read, and referred to the com-

mittee on canals.

Mr. Maison, from the select committee consisting of himself, Mr. Hunter and Mr. Livingston, appointed at the last session of the Legislature, on the subject of repealing the restraining act, brought in a bill entitled "An act to repeal in part the Revised Statutes relating to unauthorized banking and the circulation of certain notes or evidences of debt issued by banks;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That double the usual number of copies of the said bill be

printed.

Mr. L. Beardsley, from the select committee on the Governor's message on the subject of receiving this State's portion of the surplus funds, brought in a bill, entitled "An act accepting the deposite of certain moneys belonging to the United States;" which was read the first time. and by unanimous consent was also read a second time, and committed to a committee of the whole.

'The annual report of the trustees of the State library, was received and read.

[See Senate Document No. 2.]

The annual report of the Inspectors of the State Prison at Mount-Pleasant, was received and read.

[See Senate Document No. 5.]

Ordered, That said report be referred to the committee on State prisons.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act accepting the deposite of certain moneys belonging to the United States;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Livingston, from the said committee, reported the same with amendments; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK, A. M.—JANUARY 6, 1837.

The Senate met pursuant to adjournment.

Mr. Johnson presented the petition of Joel Crane and Ornon Crane, inhabitants of the county of Delaware, praying for a loan of money from the State to enable them to proceed in boring for salt water; which was read, and referred to the committee on finance.

Mr. Van Dyck, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled "An act accepting the deposite of

certain moneys belonging to the United States."

A copy of a resolution was received from the Assembly, informing that they had concurred in the resolution of the Senate of Tuesday last, for adopting the joint rules of the Senate and Assembly which were in force at the last session of the Legislature, with an amendment, by adding to said resolution the words following, to wit:

"Unless otherwise ordered, and that a joint committee of the two

houses be appointed to revise the said joint rules."

Ordered, That the said resolution and amendment be laid on the table.

The engrossed bill, entitled "An act accepting the deposite of certain moneys belonging to the United States," was read the third time and passed.

Ordered, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

Mr. Hunter asked for and obtained leave of absence for Mr. Edwards

for one week.

Mr. Dickinson asked for, and by unanimous consent, obtained leave to bring in a bill, entitled "An act altering the terms of the courts of common pleas and general sessions of the county of Chenango;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the bill entitled "An act to repeal in part the Revised Statutes relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks," be made the special

order of the day for Monday next.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act altering the terms of the courts of common pleas and general sessions of the county of Chenango;" and after some time spent thereon, Mr. President resumed the chair, and Mr. McLean, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK, A. M.-JANUARY 7, 1837.

The Senate met pursuant to adjournment.

Mr. Powers presented the petition of Sarah Rouch, an alien, praying for the passage of a law authorizing her to hold certain real estate, devised to her by her husband John C. Rouch, deceased; which was read, and referred to the committee on the judiciary.

read, and referred to the committee on the judiciary.

Mr. H. F. Jones presented the petition of Isaac Satterly, praying for lands due the heirs of Henry Satterly, a soldier in the revolutionary

war; which was read, and referred to the committee on claims.

Mr. Mack presented a petition from sundry inhabitants, late of the eastern part of the town of Chemung, but now of Barton, praying to be re-annexed to the town of Chemung; which was read, and referred to the committee on the division of towns and counties.

Mr. Livingston, from the committee on canals, to which was referred the petition of George Kinsella, for damages in consequence of the construction of the Erie canal, made a report thereon, and offered the following resolution:

Resolved, That the prayer of the petitioner be denied.

Thereupon,

Resolved, That the Senate do agree with the committee in their said report.

[See Senate Document No. 7.]

Mr. Young, from the select committee on so much of the Governor's message as relates to the usury laws, brought in a bill, entitled "An act to repeal, with certain limitations, Title three of Chapter four of Part second of the Revised Statutes;" which was read the first time, and by unanimous censent was also read a second time, and committed to a committee of the whole.

Ordered, That the said bill be printed.

A copy of a resolution was received from the Assembly, and read, in

the words following, to wit:

Resolved, (if the Senate concur,) That so much of the Governor's message as relates to the surplus revenue of the United States, and the disposition of the portion thereof proposed to be deposited with this State, be referred to a joint committee selected from both Houses, consisting of five members of Assembly and three members of the Senate; and in case of concurrence, that Mr. Ogden, Mr. P. Tucker, Mr. Burroughs, Mr. Soule and Mr. H. Rogers, be of said committee on the part of this House.

Ordered, That the said resolution be laid on the table.

On motion of Mr. Van Dyck,

Resolved, That the clerk, under the direction of the select committee, upon so much of the Governor's message as relates to the usury laws, be directed to cause to be printed for the use of the Senate, four times the usual number of copies of the Defence of Usury, by Jeremy Bentham.

Mr. Huntington, from the committee on engressed bills, reported as correctly engrossed, the bill entitled "An act altering the terms of the courts of common pleas and general sessions of the county of Chenango."

Thereupon,

The said engrossed bill was read the third time and passed.

Ordered, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

Then the Senate adjourned until 11 o'clock on Monday morning next.

MONDAY, 11 O'CLOCK, A. M.-JANUARY 9, 1837.

The Senate met pursuant to adjournment.

Mr. Dickinson presented the petition of sundry inhabitants of the town of Smyrna, in the county of Chenango, praying for the repeal of an act authorizing the construction of a road from Smyrna to Earlville, passed at the last session of the Legislature; which was read, and referred to the committee on roads and bridges.

Mr. Wager presented the petitions and papers relative to the claims [Senate Journal.]

of Simon Mattison and Junius Rogers, praying for relief for services on the Eric canal, under Robert McBride, superintendent; which were read, and referred to the committee on claims.

Mr. Livingston presented the petition of the president, directors and company of the Union Bank in the city of New-York, praying for an increase of capital; which was read, and referred to the committee on

banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act altering the terms of the court of common pleas and general sessions of the county of Cortland;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the seventh senate district.

Mr. Lacy gave notice that he would, on some future day, ask leave to introduce a bill relative to unclaimed trunks and baggage remaining in the different stage, rail-road, canal, and steam-boat offices within this State.

Mr. McLean asked for leave, and by unanimous consent brought in a bill entitled "An act in relation to the office of surrogate;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

The bill entitled "An act altering the terms of the courts of common pleas and general sessions of the county of Cheatange," was returned from the Assembly, with a message informing that they had passed the same without amendment; which was presented to his ex-

cellency the Governor by the clerk.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act to repeal in part the Revised Statutes, relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Powers, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

TUESDAY, 11 O'CLOCK, A. M.—JANUARY 10, 1837.

The Senate met pursuant to adjournment.

Mr. Johnson presented a petition for a law authorizing the appointment of a supreme court commissioner to reside at Delhi, Delaware county; which was read, and referred to the committee on the judiciary.

Mr. Loomis, from the committee on manufactures, to which was referred the petition of sundry inhabitants of the county of Washington, brought in a bill, entitled "An act to incorporate the Washington Coun-

ty Woollen and Cotton Manufacturing Company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Tracy, from the committee on claims, to which was referred the petition of Isaac Satterly, praying for lands due the heirs of Henry Satterly, a soldier in the revolutionary war, reported against the prayer of

the said petition; which was agreed to by the Senate.

Mr. Livingston, from the committee on canals, to which was referred the petition of Luther Pardee and others, brought in a bill, entitled "An act for the relief of Luther Pardee, John I. Beardslee and Lavinia Beardslee;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Armstrong, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act altering the terms of the court of common pleas and general sessions of the county of Cortland;" which was agreed to by the Senate, and the bill ordered to a third reading.

Thereupon,

The said bill was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The President announced the following communication:

Albany, January 9, 1837.

Hon. John Tracy,

President of the Senota

SIR—I am directed by the Executive Committee of the Young Men's Association of this city, to tender to the honorable the members of the Senate, the freedom of the reading and lecture rooms of the Association, in Knickerbacker Hall, North Market-street.

Will you do me the favor to communicate this to the Senate, and be-

lieve me to be

Very respectfully, yours, &c..

JOHN V. L. PRUYN,

Cor. Sec'y of the Association.

The bill entitled "An act accepting the deposite of certain moneys belonging to the United States," was returned by the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act to repeal in part the Revised Statutes, relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Powers, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M.—JANUARY 11, 1837.

The Senate met pursuant to adjournment.

Mr. Powers presented the petition of sundry citizens of Hudson, for a bank, to be located at that place with a capital of \$500,000; which was read, and referred to the committee on banks and insurance companies.

Mr. Paige presented the petition of John I. De Graff and others, for a law to incorporate the Glenville and Rotterdam Bridge Company; which was read, and referred to the committee on roads and bridges.

Mr. Powers presented the petition of the president, directors and company of the eastern branch of the Schoharie Turnpike Road, praying for a law authorizing them to abandon their road, except the easternmost five miles; which was read, and referred to the committee on roads and bridges.

Mr. Maison, from the committee on the judiciary, to whom was referred the petition for a law authorizing the appointment of a supreme court commissione to reside at Delhi, Delaware county, brought in a bill, entitled "An act authorizing the appointment of a supreme court commissioner to reside in the village of Delhi, in the county of Delaware;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act altering the terms of the courts of common pleas and general sessions of the county of Chenango."

W. L. MARCY.

Albany, January 9, 1837.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act accepting the deposite of certain moneys belonging to the United States."

W. L. MARCY.

Albany, January 10, 1837.

A copy of a resolution was received from the Assembly, with a message informing that they had concurred in the resolution of the Senate of the 4th instant, for the appointment of a joint committee on so much

of the Governor's message as relates to the investment and distribution of the portion of the surplus revenue of the United States, to be distributed to this State for deposite; and have appointed, on the part of the House, Mr. Reed, Mr. Westlake, Mr. T. W. Tucker, Mr. Arne and Mr. Strong, to be of said committee.

The Senate then took up the consideration of the resolution of the Senate of the 3d instant, for adopting the joint rules of the Senate and Assembly, which were in force at the last session of the Legislature. for the government of the two houses during the present session, toge-

ther with the amendment of the Assembly thereto.

Thereupon,

Resolved, That the Senate do concur with the Assembly in their said amendment; and that Mr. Seger, Mr. Johnson and Mr. McLean, be said committee on the part of the Senate.

Ordered, That the clerk deliver a copy of said resolution of concur-

rence to the Assembly.

Mr. Spraker asked for and obtained leave of absence for Mr. Lawyer

for five days.

Mr. Tracy asked for leave, and by unanimous consent brought in a bill, entitled "An act to repeal the fifth subdivision of section ten of the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26, 1831:" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act to repeal in part the Revised Statutes relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Powers, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M.—JANUARY 12, 1837.

The Senate met pursuant to adjournment.

Mr. Paige presented the memorial of Adam Hoops, praying for relief in relation to certain acts of the Holland Land Company; which was read, and referred to the committee on claims.

Mr. Van Dyck presented the petition of sundry inhabitants of Warwick in the county of Orange, for the incorporation of a company with a capital of \$100,000, for the purpose of constructing a rail-road within said county; which was read, and referred to the committee on rail-

Mr. Lacy, pursuant to notice heretofore given, brought in a bill, entitled "An act relative to unclaimed trunks and baggage;" which was read the first time, and by unanimous consent was also read a second

time, and committed to a committee of the whole.

Mr. Mack, from the committee on rail-reads, brought in a bill, entitled "An act to authorize the Utica and Schenectady Rail-Road Company to convey the mails of the United States;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Van Dyck, from the committee on engressed bills, reported as correctly engrossed, the bill entitled "An act authorizing the appointment of a supreme court commissioner to reside in the village of Dolhi,

in the county of Delaware."

Thereupon,

The said engreesed bill was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and

request their concurrence to the same.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act to repeal in part the Revised Statutes relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Powers, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 c'clock te-morrow morning.

FRIDAY, 11 O'CLOCK, A. M.—JANUARY 13, 1837.

The Senate met pursuant to adjournment.

Mr. Wager presented the petition of the board of supervisors of the county of Oneida, for the rebuilding of the jails of said county; which was read, and referred to a select committee, consisting of the senators

attending the Senate from the fifth senate district.

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of sundry inhabitants of the town of Smyrna, reported a bill entitled "An act to repeal an act entitled 'An act to appoint commissioners to lay out a public highway in the county of Chenango,' passed May 25, 1836;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of John I. De Graff and others, reported a bill, entitled "An act to incorporate the Glenville and Rotterdam Bridge Company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to authorize the Utica and Schenestady Rail-Road Company to convey the mails of the United

States," and that the same be engrossed for a third reading.

Mr. Powers asked for, and by unanimous consent, obtained leave to bring in a bill, entitled "An act to amend the act entitled 'An act relative to precedings in suits commenced by declaration, and for other purposes,' passed April 29, 1833;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. McLean,

Resolved, That the committee on banks and insurance companies be instructed to inquire into the expediency of providing by law for the more effectual exclusion from circulation within this State, all foreign bank hills under the denomination of five dellars.

On motion of Mr. Paige,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of requiring by law, every association of persons doing business within this State as partners or otherwise, to file a certificate signed by them in the clerks' offices of the counties where such business is transacted, stating therein the names and places of residence of all the persons forming such association, and stating from time to time any change that may occur in said associations.

Mr. Seger gave notice that he would, on some future day, ask heave to bring in a bill to provide for the preservation of legislative petitions

and papers.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act to repeal in part the Revised Statutes relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Powers, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK, A. M.—JANUARY 14, 1837.

The Senate met pursuant to adjournment.

Mr. Powers presented the petition of the president, directors and company of the Mohawk Bridge Company, for relief against the Utica and Schenectady Rail-Road Company; which was read, and referred to the committee on rail-roads.

Mr. Powers also presented the petition of sundry inhabitants of the town of Austerlitz, in Columbia county, for a bank, to be located at Hudson, with a capital of \$500,000; which was read, and referred to the committee on banks and insurance companies.

Mr. Seger, from the joint committee of the Senate and Assembly, ap-

pointed to revise the joint rules of the two houses, reported the same that were adopted at the last session for the government of the two houses during the present session; which was agreed to by the Senate.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled "An act to authorize the Utica and Scheneotady Rail-Road Company to convey the mails of the United

States."

Mr. Maison, from the committee on the judiciary, to whom was referred the petition of Sarah Roach, an alien, praying for the passage of a law authorizing her to hold certain real estate devised to her by her lausband, John C. Roach, deceased, brought in a bill, entitled "An act for the relief of Sarah Roach;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

The bill entitled "An act authorizing the appointment of a supreme court commissioner to reside in the village of Delhi, in the county of Delaware," was returned by the Assembly, with a message informing that they had passed the same without amendment; which was pre-

sented to his excellency the Governor by the clerk.

Ordered, That the bill entitled "An act to authorize the Utica and Schenectady Rail-Road Company to convey the mails of the United

States," be recommitted to the committee on rail-roads.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act to repeal in part the Revised Statutes relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Powers, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock on Monday morning next.

MONDAY, 11 O'CLOCK, A. M.—JANUARY 16, 1837.

The Senate met pursuant to adjournment.

Mr. Tallmadge, a senator from the first senate district, appeared in the Senate chamber, and having taken the oath required by law, took his seat.

Mr. Seger presented the petition of the board of supervisors of the county of Lewis, praying for the passage of a law to abolish the January term of the court of common pleas of said county; which was read, and referred to a select committee, consisting of the senators attending the Senate from the fifth senate district.

Mr. J. P. Jones presented the petition of John A. Morrison, for a law to confirm his acts as commissioner of deeds; which was read, and re-

ferred to the committee on the judiciary.

Mr. Downing presented the petition of Ryke Reid, one of the collectors of taxes in the city of Brooklyn, for an act to extend the time for collecting taxes in said city; which was read, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

Mr. Downing presented the petition of Thomas Lawrence and others, executors of John Ireland, deceased, praying for an act to authorize them to purchase the real estate of said John Ireland, deceased; which

was read, and referred to the committee on the judiciary.

Mr. Mack, from the committee on rail-roads, reported without amendment, the bill entitled "An act to authorize the Utica and Schenectady Rail-Road Company to convey the mails of the United States," and asked to be discharged from the further consideration of the petition of the president, directors and company of the Mohawk Bridge Company, praying for relief against the Utica and Schenectady Rail-Road Company, and that the same be referred to the committee on the judiciary.

Thereupon,

Ordered, That the committee be discharged from said petition, and that the same be referred to the committee on the judiciary.

Thereupon,

Mr. Powers moved that the said bill be also referred to the committee on the judiciary.

Mr. President put the question on agreeing to the said motion, and it

was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger
Mr. J. Beardsley	Mr. Lacy	Mr. Spraker
Mr. Downing	Mr. Livingston	Mr. Sterling
Mr. Edwards	Mr. Loomis	Mr. Tallmadge
Mr. Fox	Mr. McLean	Mr. Tracy
Mr. Huntington	Mr. Mack	Mr. Wager
Mr. Johnson	Mr. Maison	Mr. Willes
Mr. H. F. Jones		•

FOR THE AFFIRMATIVE.

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Mr. Beckwith	Mr. Hunter	Mr. Young	
Mr. Dickinson	Mr. Powers		· 5

Thereupon,

The said bill was ordered to a third reading.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act [SENATE JOURNAL.]

authorizing the appointment of a supreme court commissioner to reside in the village of Delhi, in the county of Delaware."

W. L. MARCY.

Albany, January 14, 1837.

Mr. Seger, from the select committee to which was referred the petition of the board of supervisors of Oneida county, for the rebuilding of the jails of said county, brought in a bill, entitled "An act relative to the county courts and jails in Oneida county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

The annual report of the Superintendent of the Onondaga salt springs, and of the Inspector of sait, was received and read.

[See Senate Document No. 11.]

Ordered, That said report be laid on the table.

Mr. Lacy asked for and obtained leave of absence for Mr. Fox for

eighteen days.

The engrossed bill, entitled "An act to authorize the Utica and Schenectapy Rail-Road Company to convey the mails of the United States," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Powers
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Seger
Mr. Beckwith	Mr. J. P. Jones	Mr. Spraker
Mr. Dickinson	Mr. Lacy	Mr. Sterling
Mr. Downing	Mr. Livingston	Mr. Tallmadge
Mr. Edwards	Mr. Loomis	Mr. Tracy
Mr. Fox	Mr. McLean	Mr. Wager
Mr. Hunter	Mr. Mack	Mr. Willes
Mr. Huntington	Mr. Maison	

FOR THE NEGATIVE.

Mr. Young

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Ordered, That the clerk deliver the said bill to the Assembly, and request their concurrence to the same.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act to repeal in part the Revised Statutes relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Powers, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

TUESDAY, 11 O'CLOCK, A. M.—JANUARY 17, 1837.

The Senate met pursuant to adjournment.

Mr. Beckwith presented the petition of sundry citizens of the county of Oneida, praying for a repeal of the act to incorporate the Oneida Bank, or for such alterations and modifications as will ensure a redistribution of the stock of said bank, according to the intention of said act; which was read, and referred to a select committee, consisting of Mr. Beckwith, Mr. Paige and Mr. Tallmadge.

Ordered, That the said committee have power to send for persons

and papers.

Mr. Van Dyck presented the petition of sundry inhabitants of Valatie in the county of Columbia, praying for the incorporation of a fire company, to be located in said village; which was read, and referred to the

committee on the incorporation of cities and villages.

Mr. Downing, from the select committee to which was referred the petition of Ryke Reid, one of the collectors of taxes in the city of Brooklyn, reported a bill, entitled "An act to extend the time for the collection of taxes in the city of Brooklyn;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Seger, from the select committee to which was referred the petition of the board of supervisors of the county of Lewis, reported a bill, entitled "An act to abolish the January term of the court of common pleas and general sessions in and for the county of Lewis;" which was read the first time, and by unanimous consent was also read a second

time, and committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act extending the time for the collection of taxes in the town of Bushwick, in the county of Kings;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Ebenezer Murdock;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Mr. Lacy moved the following preamble and resolution:

Whereas the Constitution of the State of New-York, article third, section fourth, provides that the Governor shall communicate by message to the Legislature at every session, the condition of the State, and recommend such matters to them as he shall judge expedient: And whereas there does not appear to be an appropriate standing committee to whom that part of his Excellency's message which relates to the rare endowments of President Jackson, and the peculiar fitness of his successor in office can be referred; Therefore,

Resolved, That a standing committee be appointed, to be denominated the standing committee on domestic and political machinery, to which that part of his Excellency's message can be appropriately refer-

red.

Mr. President, put the question on agreeing to the said resolution, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Spraker
Mr. J. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Beckwith	Mr. Loomis	Mr. Tallmadge
Mr. Dickinson	Mr. McLean	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Edwards	Mr. Maison	Mr. Wager
Mr. Hunter	Mr. Powers	Mr. Willis
Mr. Huntington	Mr. Seger	Mr. Young
Mr. Johnson	3	· ·

FOR THE AFFIRMATIVE.

Mr. Lacy

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Mr. Young gave notice that he would, on some future day, ask leave to introduce a bill, providing for the gradual exclusion from circulation in this State of all bank bills of a less denomination than twenty dollars.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act to repeal in part the Revised Statutes relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Powers, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M.—JANUARY 18, 1837.

The Senate met pursuant to adjournment.

Mr. Livingston presented the petition of the trustees of the Seaman's Retreat, for a loan from the Marine Hospital Fund, to complete their buildings on Staten-Island; which was read, and referred to the committee on charitable and religious societies.

Mr. Powers presented the petition of Lucas Elmendorf, praying reimbursement for his expenditures for work done in making the First Great Southwestern turnpike, for which payment was to have been made by an assessment on the adjacent land; which moneys were not collected, the assessment having been set aside by the supreme court after the moneys were expended; which was read, and referred to the

committee on the judiciary.

Mr. Edwards, presented the petition of sundry inhabitants of the county of Onondaga, for a repeal of the restraining laws, so as to allow general banking privileges; which was read, and referred to the committee of the whole when on the bill on that subject.

Ordered, That the same be printed.

[See Senate Document No. 10.]

Mr. Maison, from the committee on the judiciary, to whom was referred an act to amend the act entitled "An act relative to proceedings in suits commenced by declaration, and for other purposes," passed April 29, 1833, reported the same with amendments; which was committed to a committee of the whole.

Mr. Edwards, from the committee on the judiciary, to whom was referred the petition of John A. Morrison, for a law to confirm his acts as commissioner of deeds, brought in a bill, entitled "An act to confirm the acts of John A. Morrison as a commissioner of deeds, in the town of Mamakating;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Livingston, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act extending the time for the collection of taxes in the town of Bushwick, in the county of Kings;" which was agreed to by the Senate, and the bill ordered to a

third reading.

Mr. Edwards asked for, and by unanimous consent obtained leave, to bring in a bill, entitled "An act to amend the act entitled 'An act for the relief of Warren W. Case,' passed May 3, 1836;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Maison offered the following preamble and resolution:

Whereas it has been alleged that the Hon. S. Young, a senator from the fourth district, during the last session of the Legislature, he being then a member of the Senate, and a stockholder in the Saratoga County Bank, sold his stock in said bank at fifty-four per cent premium, during the time a bill was before the Legislature to increase the capital stock of the said bank, with a view to qualify him to vote upon the bill to increase the said capital stock: And whereas said premium is alleged to be an unusual and exhorbitant advance upon the price of said stock: Therefore,

Resolved, That a select committee be appointed to inquire into the circumstances of said sale and transfer of said stock by the said senator, whether said stock has at any time, or on any other occasion, been sold to any other person or persons for such premium, and the market price of said stock, at the time and place of said sale by said senator.

Mr. Mack made a motion to lay the said resolution on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE. .

Mr. J. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Edwards	Mr. Loomis	Mr. Tracy
Mr. Hunter	Mr. Maison	Mr. Van Dyck
Mr. H. F. Jones	Mr. Powers	Mr. Wager
Mr. Lacy	Mr. Seger	9

FOR THE AFFIRMATIVE.

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Mr. Armstrong	Mr. Huntington	Mr. Mack	
Mr. Beckwith	Mr. Johnson	Mr. Spraker	
Mr. Downing	Mr. McLean	Mr. Willes	9

Mr. President then put the question on agreeing to said preamble and resolution, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. J. Beardsley	Mr. Lacy	Mr. Seger	
Mr. Beckwith	Mr. Lawyer	Mr. Sterling	
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge	
Mr. Edwards	Mr. Loomis	Mr. Tracy	
Mr. Hunter	Mr. Maison	Mr. Van Dyck	
Mr. Johnson	Mr. Powers	Mr. Wager	
Mr. H. F. Jones		8	19

FOR THE NEGATIVE.

15. C.

Mr. Armstrong	mr. mcLean	Mr. Spraker	
Mr. Downing	Mr. Mack	Mr. Willes	
Mr. Huntington		,	7

Ordered, That Mr. Maison, Mr. Tracy and Mr. Edwards, be the said committee.

Mr. Young offered the following resolution:

Resolved, That, in the judgment of this Senate, it is highly improper for a member of the Legislature to vote for the passage of a law creating a bank or monied corporation, and afterwards to solicit or receive stock in said corporation, on the distribution of the stock thereof.

Ordered. That the said resolution be laid on the table.

Then the Senate adjourned until 11 o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M .- JANUARY 19, 1837.

The Senate met pursuant to adjournment.

Mr. Beckwith presented the petition of sundry citizens of the county of Oneida, praying for a repeal of the act to incorporate the Oneida Bank, or for such alterations and modifications as will ensure a redistribution of the stock of said bank, according to the intention of said act; which was read, and referred to the select committee heretofore appointed on that subject.

Mr. Powers presented the remonstrance of inhabitants of the town of Athens, against any further amendments to the charter of the eastern branch of the Schoharie Turnpike Road; which was read, and refer-

red to the committee on roads and bridges.

Three several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act confirming the acts of Joseph Boyer, a commissioner of deeds in the town of Le Ray, in the county of Jefferson:"

"An act confirming the official acts of Alonzo Beebe, a justice of the

peace for the county of Ontario, and for other purposes:"

"An act authorizing the Governor to appoint a coroner for the city and county of New-York, to supply a vacancy in said office:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to divide the eleventh ward of the city of New-York into two wards;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act in addition to an act entitled 'An act authorizing the supervisors of the county of Cortland to build a new court-house,' passed April 30, 1836:"

"An act further to provide for the erection of a new court-house in

the county of Cayuga:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the

senators attending the Senate from the seventh senate district.

A bill was received from the Assembly for concurrence, entitled "An act for the payment of Sylvanus J. Penniman, for oleometers and other expenses;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the proceedings of the village of Bath, in the county of Steuben;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A report of John Van Houter, an inspector of sole leather of Ludlowville in Tompkins county, was received and read.

[See Senate Document No. 12.]

Ordered, That said report be laid on the table.

A copy of a preamble and resolution was received from the Assembly, and read as follows, to wit:

Whereas the Senate of the United States did, on the twenty-eighth day of March, in the year 1834, adopt a resolution in these words, viz. "Resolved, That the President, in the late executive proceedings in relation to the public revenue, has assumed upon himself authority and

power not conferred by the Constitution and laws, but in derogation of

both."

And whereas such act is regarded by the Legislature of the State of New-York, as an assumption of power on the part of said Senate, and a usurpation of the constitutional powers of the House of Representatives:

Therefore,

Resolved, (if the Senate concur,) That the senators of this State in . Congress be, and they are hereby instructed to use their best efforts to procure the passage of a resolution, directing the aforesaid resolution to be expunged from the Journal of the Senate of the United States.

Resolved, That the Governor of this State be requested to transmit a copy of the foregoing resolution to each of the senators and representa-

tives in Congress from this State.

Thereupon,

On motion of Mr. Young, an amendment was made to the said concurrent resolution, as follows:

Insert after the word "resolution," where it first occurs, the words following, to wit: "During the present session of Congress."

Mr. President then put the question on agreeing to said resolution as amended, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. J. Beardsley Mr. L. Beardsley Mr. Beckwith Mr. Dickinson Mr. Downing Mr. Edwards	Mr. Johnson Mr. H. F. Jones Mr. J. P. Jones Mr. Lawyer Mr. Livingston Mr. Loomis Mr. McLean	Mr. Powers Mr. Seger Mr. Spraker Mr. Sterling Mr. Van Dyck Mr. Wager Mr. Willes
Mr. Edwards Mr. Hunter Mr. Huntington	Mr. McLean Mr. Mack Mr. Paige	Mr. Willes Mr. Young

FOR THE NEGATIVE.

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Mr. Lacy Mr. Tallmadge Mr. Tracv 3 Thereupon,

Resolved, That the Senate do concur with the Assembly in said preamble and resolution, as amended.

Ordered, That the clerk deliver said resolution of concurrence to the

Assembly.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled "An act to extend the time for the collection of taxes in the second, fourth, fifth and seventh wards of the city of Brooklyn."

Thereupon,

The said engrossed bill was read the third time and passed.

Ordered, That the clerk deliver said bill to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act extending the time for the collection of taxes in the town of Bushwick, in the county of Kings;" was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

Mr. Hunter moved that the further consideration of the bill entitled "An act to repeal in part the Revised Statutes, relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks," be postponed one week from next Monday.

Mr. President put the question on agreeing to said motion, and it was

decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Powers	
Mr. Dickinson	Mr. Lawyer	Mr. Spraker	
Mr. Downing	Mr. Livingston	Mr. Sterling	
Mr. Hunter	Mr. Loomis	Mr. Tallmadge	
Mr. Huntington	Mr. McLean	Mr. Tracy	
Mr. Johnson	Mr. Mack	Mr. Van Dyck	
Mr. J. P. Jones	Mr. Paige	Mr. Wager	21

FOR THE AFFIRMATIVE.

Thereupon,

The Senate then again resolved itself into a committee of the whole on said bill; and after some time spent thereon, Mr. President resumed the chair, and Mr. Powers, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

[Senate Journal.]

FRIDAY, 11 O'CLOCK, A. M.-JANUARY 20, 1837.

The Senate met pursuant to adjournment.

Mr. Paige presented a petition of the members of the bar of Schenectady county, for an alteration in the law in relation to holding the terms of the court of common pleas; which was read, and referred to the

committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend title six of chapter three of the first part of the Revised Statutes, relative to the enumeration of the inhabitants of this State;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act to incorporate the Jamestown academy," passed April 16, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on

literature.

A report of William Dumont, inspector of pot and pearl ashes for the city of New-York, was received and read.

[See Senate Document No. 24.]

Ordered, That said report be laid on the table. Mr. Loomis offered the following resolution:

Resolved, That the committee of the whole be discharged from the further consideration of the petition praying for the passage of a law authorizing a general system of banking within this State; and that the said petition be referred to a select committee, to consist of one senator from each senate district, with instructions to report a bill for that purpose.

Ordered, That the said resolution be referred to the committee of the whole when on the bill entitled "An act to repeal in part the Revised Statutes, relating to unauthorized banking, and the circulation of cer-

tain notes or evidences of debt issued by banks."

Mr. Dickinson offered the following resolution:

Resolved, That the committee on banks and insurance companies be instructed to inquire into the expediency of passing a general banking law, giving the right to issue bills of twenty dollars and upwards, under the following provisions:

1. Their capital not to exceed dollars, and shall be actually

paid in.

2. Their issues shall at no time exceed once and a half the amount of their capital.

3. They shall at no time have debts due to them to the amount of

over twice their capital.

4. They shall contribute to a common fund, for the benefit and security of the bill-holder, and shall be subject to visitation.

5. They shall jointly and severally be personally responsible for the payment of their debts.

 They shall have and keep on hand an average amount of specie of dollars.

Ordered, That the said resolution be laid on the table.

Mr. Seger, pursuant to notice heretofore given, obtained leave to bring in a bill, entitled "An act for the preservation of legislative petitions and papers;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Tallmadge asked for and, by unanimous consent, obtained leave to bring in a bill, entitled "An act for the relief of the families of persons sentenced to any of the State prisons of the State of New-York, in certain cases;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the indicious

the judiciary.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act to repeal in part the Revised Statutes relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks," and upon the resolution this day offered by Mr. Loomis; and after some time spent thereon, Mr. President resumed the chair, and Mr. Powers, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK, A. M.—JANUARY 21, 1837.

The Senate met pursuant to adjournment.

Mr. Dickinson presented the remonstrance and proceedings of a public meeting of the inhabitants of the town of Barton, in the county of Tioga, against annexing a part of said town of Barton to the town of Chemung; which was read, and referred to the committee on the division of towns and counties.

Mr. Beckwith presented the memorial of sundry inhabitants of the county of Herkimer, in relation to the surplus revenue and the common schools; which was read, and referred to the joint committee appointed on that part of the Governor's message which relates to that subject.

Mr. Loomis, from the committee on manufactures, reported without amendment, the bill from the Assembly, entitled "An act for the payment of Sylvanus J. Penniman, for oleometers and other expenses;" which was agreed to by the Senate, and the bill ordered to a third reading

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act authorizing the Governor to appoint a coroner for the city and county of New-York, to supply a vacancy in said office;" which was agreed to by the Senate,

and the bill ordered to a third reading.

Mr. Edwards, from the same committee, reported without amendment, the bill from the Assembly, entitled "An act confirming the acts of Joseph Boyer, a commissioner of deeds in the town of Le Ray, in the county of Jefferson;" which was committed to a committee of the whole.

Mr. Seger, from the committee on the incorpopation of cities and villages, reported without amendment, the bill from the Assembly, entitled "An act to confirm the proceedings of the village of Bath, in the county of Steuben;" which was committed to a committee of the whole.

Mr. Seger, from the same committee, to which was referred the petition of sundry inhabitants of Valatie in the county of Columbia, brought in a bill, entitled "An act to incorporate the Valatie Fire Company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Armstrong, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act further to provide for the erection of a new court-house in the county of Cayuga;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Armstrong, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act in addition to an act entitled 'An act authorizing the supervisors of the county of Cortland, to build a new court-house,' passed April 30, 1836;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Livingston, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to divide the eleventh ward of the city of New-York into two wards;" which was committed to a

committee of the whole.

Mr. Young, from the committee on literature, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the Jamestown Academy,' passed April 16, 1836;" which was committed to a committee of the whole.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act for the more effectual punishment of crimes:"

"An act to amend the Revised Statutes, in relation to escapes from prisons, and assisting therein:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Rochester Female Academy;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of James Thomson;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A copy of a resolution was received from the Assembly, informing that they had concurred in the amendment of the Senate to the resolution relating to expunging from the journal of the Senate of the United States a certain resolution.

On motion of Mr. Seger,

Resolved, That the committee on banks and insurance companies be instructed to inquire into the expediency of providing by a general law for the sale of the stock of banks, that may hereafter be created, at public auction, and for the payment of the premium arising from such sale into the common school fund, or for such other disposition of such premium as they may think proper, and that said committee report by bill or otherwise.

Ordered, That the bill from the Assembly, entitled "An act authorizing the Governor to appoint a coroner for the city and county of New-York, to supply a vacancy in said office," be referred to a select committee, consisting of the senators attending the Senate from the first se-

nate district.

The bill from the Assembly, entitled "An act further to provide for the erection of a new court-house in the county of Cayuga," was read

the third time and passed.

The bill from the Assembly, entitled "An act in addition to an act entitled 'An act authorizing the supervisors of the county of Cortland, to build a new court-house,' passed April 30, 1836," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act to repeal in part the Revised Statutes relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks," and upon the resolution offered by Mr. Loomis; and after some time spent thereon, Mr. President resumed the chair, and Mr. Powers, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock on Monday morning next.

MONDAY, 11 O'CLOCK, A. M.—JANUARY 23, 1837.

The Senate met pursuant to adjournment.

Mr. Livingston presented the memorial of the council of the University of the city of New-York, for the passage of a law authorizing the establishment of a medical faculty in said university; which was read, and referred to the committee on literature.

Mr. Livingston also presented the memorial of the council of the University of the city of New-York, for legislative aid; which was read, and referred to the joint committee of the Senate and Assembly on so much of the Governor's message as relates to the investment and dis-

tribution of certain moneys to be received from the General Government.

Mr. Powers presented the petition of sundry inhabitants of the city of Hudson, for a bank to be located in said city, with a capital of five hundred thousand dollars; which was read, and referred to the committee

on banks and insurance companies.

Mr. Seger, from the committee on the incorporation of cities and villages, to whom was referred the petition of residents in Franklindale, brought in a bill entitled "An act to incorporate the Franklindale Fire Company in Dutchess county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Livingston, from the committee on canals, brought in a bill, entitled "An act limiting the price to be paid for land taken for the enlargement of the Erie canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Edwards, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act confirming the official acts of Alonzo Beebe, a justice of the peace for the county of Ontario, and for other purposes;" which was committed to a committee of the whole.

Mr. Young, from the committee on literature, reported with amendments, the bill from the Assembly, entitled "An act to incorporate the Rochester Female Academy;" which was committed to a committee of

the whole.

Mr. Armstrong, from the committee on banks and insurance companies, pursuant to a resolution of the Senate, instructing them to inquire into the expediency of providing by law for the more effectual exclusion from circulation within this State, all foreign bank bills under the denomination of five dollars, brought in a bill, entitled "An act to amend the act to prohibit the circulation of small bills;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Armstrong, from the same committee, brought in a bill, entitled "An act to amend the act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2, 1829;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. L. Beardsley, from the committee on finance, reported without amendment, the bill from the Assembly, entitled "An act for the relief of Ebenezer Murdock;" which was committed to a committee of the whole.

Mr. Livingston, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act authorizing the Governor to appoint a coroner for the city and county of New-York, to supply a vacancy in said office;" which was committed to a committee of the whole.

The bill entitled "An act to authorize the Utica and Schenectady

Rail-Road Company to convey the mails of the United States," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Mr. President put the question on agreeing to the said amendments, and it was decided in the negative; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Johnson	Mr. McLean
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Powers
Mr. Beckwith	Mr. J. P. Jones	Mr. Tallmadge
Mr. Dickinson	Mr. Lacy	Mr. Tracy
Mr. Downing	Mr. Lawyer	Mr. Van Dyck
Mr. Edwards	Mr. Livingston	Mr. Willis
Mr. Hunter	Mr. Loomis	Mr. Young

FOR THE AFFIRMATIVE.

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Mr.	Mack	Mr. Segei	Mr. Wager	3

Thereupon,

Mr. Huntington

Resolved, That the Senate do not concur with the Assembly in their said amendments to the said bill.

Ordered, That the clerk deliver said bill with a copy of said resolution to the Assembly.

Ordered, That the report of the Superintendent of the Onondaga salt springs and of the Inspector of salt, be referred to the committee on manufactures.

Ordered, That the committee on claims be discharged from the further consideration of the bill, entitled "An act for the relief of James Thomson," and that the same be referred to the committee on the judiciary.

Ordered, That the committee on the judiciary be discharged from the further consideration of the petition of Lucas Elmendorf, praying reimbursement for his expenditures for work done in making the First Great Southwestern turnpike, and that the same be referred to the committee on claims.

The bill from the Assembly, entitled "An act for the payment of Sylvanus J. Penniman, for oleometers and other expenses," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act to repeal in part the Revised Statutes relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks," and upon the resolution offered by Mr. Loomis; and after some time spent thereon, Mr. President resumed the chair, and Mr. Powers, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning,

TUESDAY, 11 O'CLOCK, A. M.—JANUARY 24, 1837.

The Senate met pursuant to adjournment.

Mr. Loomis presented the petition of Henry Thallimer, for compensation for work done on the Erie canal; which was read, and referred to the committee on claims.

Mr. H. F. Jones presented the petition of the president and directors of the North-Hempstead and Flushing Turnpike Road and Bridge Company, for an increase of capital; which was read, and referred to the

committee on roads and bridges.

Mr. Wager presented the petition of John I. Cook and Timothy Jenkins, for the purchase of the Oneida Lake canal and the Oneida feeder, pursuant to the act entitled "An act to incorporate the Oneida Lake Canal company;" which was read, and referred to the Canal Commissioners.

Mr. Beckwith presented three several petitions of sundry citizens of Oneida county, for the repeal of the charter of the Oneida bank; which were read, and referred to the committee heretofore appointed on that

subject, of which Mr. Beckwith is chairman.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act for the more effectual punishment of crimes;" which was committed to a committee of the whole.

Mr. Edwards, from the same committeee, reported with amendments, the bill from the Assembly, entitled "An act to amend the Revised Statutes, in relation to escapes from prisons and assisting therein;" which

was committed to a committee of the whole.

Mr. Edwards, from the same committee, reported with amendments, the bill entitled "An act for the relief of the families of persons sentenced to any of the State prisons of the State of New-York, in certain cases;" which was committed to a committee of the whole.

The bill entitled "An act to extend the time for the collection of taxes in the second, fourth, fifth and seventh wards of the city of Brooklyn," was received from the Assembly, with a message informing that they had passed the same without amendment; which was presented to his

excellency the Governor by the clerk.

A bill was received from the Assembly for concurrence, entitled "An act to extend the time for the collection of taxes in the town of Johnstown, in the county of Montgomery;" which was read the first time, and by unanimous consent was also read a second time, and ordered

to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act authorizing the appointment of a supreme court commissioner in the town of Painted-Post, in the county of Steuben,' passed April 20, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to annex parts of the towns of

Richland and New-Haven to the town of Mexico, in the county of Oswego,' passed May 9, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the construction of a rail-road from Auburn to Rochester," passed May 13, 1836; which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on rail-roads.

Mr. Edwards gave notice that he would, on some future day, ask leave to introduce a bill relative to the powers and duties of public administrators and surrogates.

The bill from the Assembly, entitled "An act to extend the time for the collection of taxes in the town of Johnstown, in the county of Montgomery," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act to repeal in part the Revised Statutes relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks," and upon the resolution offered by Mr. Loomis; and after some time spent thereon, Mr. President resumed the chair, and Mr. Powers, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M.—JANUARY 25, 1837.

The Senate met pursuant to adjournment.

Mr. Wager presented the memorial of the trustees and faculty of Hamilton college, praying for the establishment and endowment of a department in said college for the education of school instructors; which was read, and referred to the joint committee on so much of the Governor's message as relates to the investment and distribution of certain moneys to be received from the General Government, of which Mr. Paige is chairman.

Ordered. That the said petition be printed.

[See Senate Document No. 15.]

Mr. Loomis presented the petition of T. Short and others, stockholders of the Auburn and Rochester Rail-Road Company, for an amendment of their charter; which was read, and referred to the committee on rail-roads.

, [SENATE JOURNAL.]

Mr. Tallmadge presented the petition of the New-York and Harlaem Rail-Road Company, for an extension of the term of their charter and of the time allowed for the completion of their road; which was read, and referred to the committee on rail-roads.

Mr. Dickinson presented the remonstrance of sundry inhabitants of Sherburne, against repealing the act to lay out a road from Smyrna to Earlville; which was read, and referred to the committee of the whole

when on the bill on that subject.

Mr. Edwards, from the committee on the judiciary, to whom was referred so much of the Governor's message as relates to the judiciary system and an amendment of the Constitution, moved the following resolution:

Resolved, That the following amendments to the Constitution of this State be proposed and referred to the Legislature next to be chosen, and that the Secretary of State cause the same to be published for three months previous to the next annual election, in pursuance of the provisions of the first section of the eighth article of the Constitution:

1st. There shall be appointed two justices of the Supreme Court in addition to the present number, in the same manner as the justices of that court are now appointed, each of whom shall be members of the

said court, and possess all the powers of a justice thereof.

2d. The Legislature may reorganize the Court of Chancery: it may divest the circuit judges of equity powers, reduce their number and authorize the appointment of one or more additional vice-chancellors, but the whole number of vice-chancellors shall not exceed four. It may also define and regulate the powers and duties of the chancellor and vice-chancellors and the right of appeal, and may make such provisions by law, as it may deem necessary, for the reorganization of the said court and the regulation thereof.

3d. The vice-chancellors shall be members of the court for the trial of impeachments and the correction of errors, in the same manner as the chancellor now is, and shall be subject to the same tenure of office

and in like manner be liable to impeachments.

4th. So much of the Constitution as is inconsistent with these provi-

sions is hereby annulled.

Which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the same be printed.

[See Senate Document No. 13.]

Mr. J. Beardsley, from the committee on rail-roads, reported without amendment, the bill from the Assembly, entitled "An act to amend an act to provide for the construction of a rail-road from Auburn to Rochester," passed May 13, 1836; which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Beckwith, from the committee on the division of towns and counties, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act to annex parts of the towns of Richland and New-Haven to the town of Mexico, in the county of

Oswego,' passed May 9, 1836;" which was committed to a committee of the whole.

Mr. L. Beardsley asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act authorizing the appointment of a supreme court commissioner to reside at Dansville, in the county of Livingston;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

-Gentlemen-

I have this day approved and signed the bill, entitled "An act to extend the time for the collection of taxes in the second, fourth, fifth and seventh wards of the city of Brooklyn."

W. L. MARCY.

Albany, January 24, 1837.

The bill entitled "An act to authorize the Utica and Schenectady Rail-Road Company to convey the mails of the United States," was received from the Assembly, with a message informing that they had receded from their amendment to the said bill not concurred in by the Senate; which was presented to his excellency the Governor by the clerk.

The bill from the Assembly, entitled "An act to amend an act for the construction of a rail-road from Auburn to Rochester," passed May 13, 1836, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Mack
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Paige
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Powers
Mr. Beckwith	Mr. Lacy	Mr. Spraker
Mr. Dickinson	Mr. Lawyer	Mr. Tallmadge
Mr. Downing	Mr. Livingston	Mr. Van Dyck
Mr. Edwards	Mr. Loomis	Mr. Wager
Mr. Hunter	Mr. McLean	Mr. Willes
Mr. Huntington		

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FOR THE NEGATIVE.

Mr. Young

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Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act to repeal in part the Revised Statutes relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks," and upon the resolution this day offered by Mr. Loomis; and after some time spent thereon, Mr. President resumed the chair, and Mr. Pówers, from the said committee, reported the said bill with amendments.

Ordered, That said report be laid on the table.

Mr. Powers further reported progress on the resolution offered by Mr. Loomis, and asked for leave to sit again.

Mr. Loomis made a motion that the Senate adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. McLean	
Mr. J. Beardsley	Mr. Lacy	Mr. Powers	
Mr. Beckwith	Mr. Lawyer	Mr. Tallmadge	
Mr. Edwards	Mr. Livingston	Mr. Tracy	
Mr. Huntington	Mr. Loomis	Mr. Willis	
Mr. H. F. Jones			16

FOR THE NEGATIVE.

Mr. L. Beardsley	Mr. Hunter	Mr. Paige	
Mr. Dickinson	Mr. Johnson	Mr. Spraker	
Mr. Downing	Mr. Mack	Mr. Wager	9

Then the Senate adjourned until 11 o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M.-JANUARY 26, 1837.

The Senate met pursuant to adjournment.

Mr. Wager presented the remonstrance of sundry citizens of Madison county, against the repeal of a law passed May 25, 1836, to lay out a road in Chenango county, near the line of Madison county; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Wager also presented the remonstrance of 250 inhabitants of Oneida county, against the removal of the public buildings in that county; which was read, and referred to the committee of the whole

when on the bill on that subject.

Mr. Edwards, from the committee on the judiciary, to whom was referred the petition of Thomas Lawrence and others, executors of John Ireland, deceased, brought in a bill, entitled "An act to authorize the

executors of John Ireland, deceased, to become purchasers of his real estate;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

The annual report of the trustees of the Sailors' Snug Harbor, was

received and read.

[See Senate Document No. 19.]

A report of the Comptroller, in relation to clerks in his office, was received and read.

[See Senate Document No. 14.]

Mr. Edwards gave notice that he would, on some future day, ask leave to introduce a bill concerning the proof of wills, executors and ad-

ministrators, guardians and wards, and surrogates' courts.

Ordered, That the committee on claims be discharged from the further consideration of the petition of Henry Thalhimer, for compensation for work done on the Erie canal, and that the same be referred to the committee on canals.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act for the relief of Ebenezer Murdock," and that the same be ordered to a

third reading.

The Senate then took up the consideration of the report of the committee of the whole, on the bill entitled "An act to repeal in part the Revised Statutes relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks," and on the resolution offered by Mr. Loomis on that subject.

Thereupon,

The first section of said bill was read in the words following, to wit:

" § 1. So much of title twenty, chapter twenty, part first of the Revised Statutes, relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks, as prohibits a person or association of persons not incorporated, from keeping offices for the purpose of receiving deposites or discounting notes or bills, be and the same is hereby repealed."

Mr. Tracy made a motion to amend the report on said bill, by inserting in the said section, after the word "bills," in the fifth line thereof, the words following, to wit:

"Or from issuing bills or promissory notes of a denomination or amount not less than fifty dollars."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Huntington	Mr. Mack	
Mr. J. Beardsley	Mr. Johnson	Mr. Paige	
Mr. L. Beardsley	Mr. H. F. Jones	Mr. Powers	
Mr. Beckwith	Mr. J. P. Jones	Mr. Seger	
Mr. Dickinson	Mr. Lawyer	Mr. Spraker .	
Mr. Downing	Mr. Livingston	Mr. Tallmadge	
Mr. Edwards	Mr. Loomis	Mr. Wager	
Mr. Hunter	Mr. McLean	Mr. Willes	24

FOR THE AFFIRMATIVE.

Mr. Lacy Mr. Tracy Mr. Young 3

The report of the said committee was then read, in the words follow-

An Act to repeal in part the Revised Statutes relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

§ 1. So much of title twenty, chapter twenty, part first of the Revised Statutes, relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks, as prohibits a person or association of persons not incorporated, from keeping offices for the purpose of receiving deposites or discounting notes or bills, be and the same is hereby repealed.

§ 2. This act shall not be so construed as to authorize or permit any incorporation created by the laws of any other state, to keep any office for the purpose of receiving deposites or discounting notes or bills, or issuing any evidence of debt to be loaned or put in circulation as money.

within this state.

ing, to wit:

§ 3. No incorporated bank in this state, nor any officer or director thereof, shall open or keep an office of deposite or discount under this act, or be interested or concerned, directly or indirectly, in any such association: The bank, officer or director shall forfeit the sum of one thousand dollars for each violation of any of the provisions of this section.

§ 4. This act shall take effect immediately on its final passage.

Mr. President, put the question on agreeing to the said report, and it was unanimously decided in the affirmative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Paige
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Powers

Mr. L. Beardsley	Mr. J. P. Jones	Mr. Seger
Mr. Beckwith	Mr. Lacy	Mr. Spraker
Mr. Dickinson	Mr. Lawyer	Mr. Tallmadge
Mr. Downing	Mr. Livingston	Mr. Tracy
Mr. Edwards	Mr. Loomis	Mr. Wager
Mr. Hunter	Mr. McLean	Mr. Willes
Mr. Huntington	Mr. Mack	Mr. Young

Ordered, That the bill be engrossed.

Ordered, That the committee have leave to sit again on said resolution.

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The bill from the Assembly, entitled "An act for the relief of Ebene-

zer Murdock," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole on the resolution offered by Mr. Loomis; and after some time spent thereon, Mr. President resumed the chair, and Mr. Powers, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK, A. M.-JANUARY 27, 1837.

The Senate met pursuant to adjournment.

Mr. Wager presented the petition of sundry inhabitants of Oneida county, praying for the passage of a law authorizing the appointment of a supreme court commissioner to reside in Waterville in said county; which was read, and referred to the committee on the judiciary.

Mr. Young, from the committee on literature, to whom was referred the memorial of the council of the University of the city of New-York, for the passage of a law authorizing the establishment of a medical faculty in said University, brought in a bill, entitled "An act to amend the seventh title and fourteenth chapter of the first part of the Revised Statutes, entitled 'General regulations concerning the practice of physic and surgery in this State;" which was read the first time, and by unanimous consent was also read a 'second time, and committed to a committee of the whole.

Mr. Edwards, from the committee on the judiciary, to whom was referred the petition of the members of the bar of Schenectady county, for an alteration in the law in relation to holding the terms of the court of common pleas, brought in a bill, entitled "An act in relation to the court of common pleas of the county of Schenectady;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Two several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to incorporate the Norwich Union Seminary:"

"An act concerning common schools:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on literature.

The report of J. D. Stevenson, inspector of tobacco for the city and county of New-York, was received and read.

[See Senate Document No. 37.]

Ordered, That said report be referred to the committee on manufac-

Mr. Edwards, pursuant to notice heretofore given, asked for and obtained leave to bring in a bill, entitled "An act to regulate the powers and duties of public administrators and surrogates, relative to the property and effects of foreigners;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the said bill be printed.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled "An act to repeal in part the Revised Statutes relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks."

Thereupon,

Mr. Huntington

The said engrossed bill was read the third time and passed.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Mack
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Powers
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Seger
Mr. Beckwith	Mr. Lacy	Mr. Spraker
Mr. Dickinson	Mr. Lawyer	Mr. Tallmadge
Mr. Downing	Mr. Livingston	Mr. Wager
Mr. Edwards	Mr. Loomis	Mr. Willes
Mr. Hunter	Mr. McLean	Mr. Young

Ordered, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

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The Senate then again resolved itself into a committee of the whole on the resolution offered by Mr. Loomis, in relation to banking, which said resolution is as follows, to wit:

Resolved, That the committee of the whole be discharged from the further consideration of the petition praying for the passage of a law authorizing a general system of banking within this State; and that the said petition be referred to a select committee, to consist of one sena-

tor from each senatorial district, with instructions to report a bill for that purpose, with such provisions as shall, if practicable, secure the public against frauds and impositions.

And after some time spent thereon, Mr. Powers, from the said committee, reported that the committee had amended said resolution, and

agreed to it in the words following, to wit:

Resolved, That the committee of the whole be discharged from the further consideration of the petition praying for the passage of a law authorizing a general system of banking within this State; and that the said petition be referred to a select committee, to consist of one senator from each senatorial district.

Mr. Loomis moved to amend said report, by adding to the resolution the words following, to wit:

a With instructions to report a bill for that purpose, with such provisions as shall, if practicable, secure the public against frauds and impositions."

Mr. President put the question on agreeing to the said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Powers	•
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Seger	
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Spraker	
Mr. Dickinson	Mr. McLean	Mr. Tallmadge	
Mr. Downing	Mr. Mack	Mr. Wager	
Mr. Hunter	Mr. Paige		17

FOR THE AFFIRMATIVE.

Mr. Beckwith Mr. Edwards	٠	Mr. Livingston Mr. Loomis	Mr. Van Dyck Mr. Young	
Mr. Lacy		Mr. Tracy	•	8

The Senate then agreed to the report of the committee of the whole. Thereupon,

Resolved. That the committee of the whole be discharged from the further consideration of the petition praying for the passage of a law authorizing a general system of banking within this State; and that the said petition be referred to a select committee, to consist of one senator from each senatorial district.

Ordered, That Mr. Loomis, Mr. Young, Mr. Huntington, Mr. Tracy, Mr. Sterling, Mr. Livingston, Mr. Johnson and Mr. Van Dyck, be said committee.

Then the Senate adjourned until 11 o'clock to-morrow morning.

[SENATE JOURNAL.]

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ich were read the first time, and by unanimous consent were also second time, and referred to the committee on the judiciary.

ie annual report of the Bowery Savings Bank, was received and

[See Senate Document No. 18.]

Mr. Edwards, pursuant to notice heretofore given, asked for and obned leave to bring in a bill, entitled "An act concerning the proof of lls, executors and administrators, guardians and wards, and surroutes' courts;" which was read the first time, and by unanimous conent was also read a second time, and committed to a committee of the whole.

Ordered, That the said bill be printed.

Mr. Young, pursuant to notice heretofore given, asked for and obtained leave to bring in a bill, entitled "An act supplementary to the act entitled 'An act to prohibit the circulation of small bills;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the said bill be printed.

Mr. Paige asked for, and by unanimous consent obtained leave, to bring in a bill, entitled "An act to amend an act entitled 'An act to incorporate the Society for the relief of orphans and destitute children in the city of Albany,' passed April 27, 1835;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

Ordered, That the bill, entitled "An act limiting the price to be paid for land taken for the enlargement of the Erie canal," be printed.

The bill from the Assembly, entitled "An act for extending the time for collecting of taxes in the town of Sand-Lake, in the county of Rensselaer," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amend-

ment

The Senate then resolved itself into a committee of the whole on the bill entitled "An act in relation to the office of surrogate;" and after some time spent thereon, Mr. President resumed the chair, and Mr. H. F. Jones, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engressed for a third reading.

Then the Senate adjourned until 11 o'clock on Monday morning next.

SATURDAY, 11 O'CLOCK, A. M.—JANUARY 28, 1837.

The Senate met pursuant to adjournment.

Mr. J. Beardsley presented the memorial of a public meeting of citizens of the town of Seneca-Falls, in the county of Seneca, relative to the extension of the banking system of this State; which was read, and referred to the select committee appointed on that subject.

Mr. Edwards presented the petition of Azariah Smith, Elijah Rhoades, Franklin May and others, for a repeal of the restraining law, and for a general banking law; which was read, and referred to the select com-

mittee appointed on that subject.

Mr. Edwards also presented the petition of Asa Eastwood and others, inhabitants of the town of Cicero, in Onondaga county, for the repeal of the restraining law, and for a general banking law; which was read, and referred to the select committee appointed on that subject.

Mr. Van Dyck presented two several petitions of sundry inhabitants of Orange county, for the incorporation of the Warwick Rail-Road Company; which were read, and referred to the committee on rail-roads.

Mr. Edwards, from the committee on the judiciary, to whom was referred the petition of sundry inhabitants of Oneida county, brought in a bill, entitled "An act authorizing the appointment of a supreme court commissioner to reside in the town of Sangersfield, in the county of Oneida;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Young, from the committee on literature, reported without amendment, two bills from the Assembly, of the following titles, to wit:

"An act concerning common schools:"

"An act to incorporate the Norwich Union Seminary:"

Which were committed to a committee of the whole.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act to authorize the Utica and Schenectady Rail-Road Company to convey the mails of the United States."

W. L. MARCY.

Albany, January 27, 1837.

Two several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to amend section thirteen of title two of chapter seventh of the first part of the Revised Statutes, relating to the powers, duties and privileges of the two houses, and their members and officers:"

"An act authorizing the appointment of a supreme court commissioner to reside in the village of Amsterdam, in the county of Montgomery:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

The annual report of the Bowery Savings Bank, was received and

read.

[See Senate Document No. 18.]

Mr. Edwards, pursuant to notice heretofore given, asked for and obtained leave to bring in a bill, entitled "An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the said bill be printed.

Mr. Young, pursuant to notice heretofore given, asked for and obtained leave to bring in a bill, entitled "An act supplementary to the act entitled 'An act to prohibit the circulation of small bills;'" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the said bill be printed.

Mr. Paige asked for, and by unanimous consent obtained leave, to bring in a bill, entitled "An act to amend an act entitled 'An act to incorporate the Society for the relief of orphans and destitute children in the city of Albany,' passed April 27, 1835;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

Ordered, That the bill, entitled "An act limiting the price to be paid for land taken for the enlargement of the Erie canal," be printed.

The bill from the Assembly, entitled "An act for extending the time for collecting of taxes in the town of Sand-Lake, in the county of Rensselaer," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act in relation to the office of surrogate;" and after some time spent thereon, Mr. President resumed the chair, and Mr. H. F. Jones, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Then the Senate adjourned until 11 o'clock on Monday morning next.

MONDAY, 11 O'CLOCK, A. M.—JANUARY 30, 1837.

The Senate met pursuant to adjournment.

Mr. Wager presented the petition of sundry inhabitants of Oneida county, praying for an amendment of the charter of the Utica and Schenectady Rail-Road Company, so as to authorize said company to carry freight; which was read, and referred to the committee on rail-poads.

Mr. Wager also presented the petition of the directors of the Oswego and Utica Rail-Road Company, for an amendment of their charter;

which was read, and referred to the committee on rail-roads.

Mr. 'I allmadge presented the memorial of D. M. Smith and others, praying that the Hudson River Agricultural Seminary may be placed under the care of the Regents of the University, and be subject to their visitation; which was read, and referred to the committee on literature.

Mr. Armstrong presented the proceedings of a public meeting held at Seneca-Falls, relative to banking; which was read, and referred to the select committee of eight appointed on that subject, of which Mr. Loomis

is chairman.

Mr. L. Beardsley, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act authorizing the appointment of a supreme court commissioner in the town of Painted-Post, in the county of Steuben,' passed April 20, 1836;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act authorizing the appointment of a supreme court commissioner to reside in the village of Amsterdam, in the county of Montgomery;" which was agreed

to by the Senate, and the bill ordered to a third reading.

The report of H. R. Graves, inspector of sole leather for the county of Cayuga, was received and read.

[See Senate Document No. 40.]

Ordered, That said report be referred to the committee on manufac-

Ordered, That the resolutions for the amendment of the Constitution in relation to the judiciary, be made the special order of the day for Thursday next.

On motion of Mr. Maison,

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Resolved, That the committee on manufactures be instructed to inquire what amount of grain has been, for the last six years, annually consumed in the cities of New-York and Brooklyn, by persons there engaged in the distilling business; and that they suggest some plan to prevent distillers from using such grain for distilling purposes, which might be worked into bread stuffs for the use of man.

Mr. Maison asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act in addition to the act relating to courts

held by justices of the peace;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

The Senate then took up the consideration of the following resolu-

tion:

Resolved, That, in the judgment of this senate, it is highly improper for a member of the Legislature to vote for the passage of a law creating a bank or monied corporation, and afterwards to solicit or receive stock in said corporation, on the distribution of the stock thereof.

By the consent of the mover, the Senate agreed to a substitute offer-

ed by Mr. Edwards for the said resolution, as follows, to wit:

Resolved, That the committee on banks and insurance companies be instructed to report a bill declaring it unlawful for any member of the Legislature to subscribe for any stock of any incorporated bank created by any act of the Legislature whereof he is a member, in his own name or in the name of any other person, or to purchase or own, or in any manner whatever to become interested in any such stock.

Without taking any question on said resolution,

The Senate adjourned until 11 o'clock to-morrow morning.

TUESDAY, 11 O'CLOCK, A. M.—JANUARY 31, 1837.

The Senate met pursuant to adjournment.

Mr. Edwards presented the proceedings of a meeting of sundry citizens of Seneca-Falls, in relation to an increase of banking capital, either by acts of incorporation or by a general law; which were read, and referred to the select committee of eight appointed on that subject.

Mr. Edwards also presented the petition of Luther Buell and others, inhabitants of the town of Pompey, for the repeal of the restraining law, and for a general banking law; which was read, and referred to

the select committee of eight appointed on that subject.

Mr. Loomis presented the memorial of the trustees of Geneva college for aid; which was read, and referred to the joint committee on so much of the Governor's message as relates to the investment and distribution of certain moneys to be received from the General Government.

Mr. Dickinson presented a remonstrance of sundry inhabitants of Smyrna, against repealing the act to lay out a road from Smyrna to Earlville, and also a report of the commissioners appointed by said act; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Wager presented the petition of sundry inhabitants of Oneida county, praying for an appropriation to pay for the survey of improvements in the Seneca and Oneida rivers, authorized by a law of 1836; which was read, and referred to the committee on canals.

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Mr. Young, from the committee on literature, reported without amendment, the bill from the Assembly, entitled "An act to amend title second of chapter fifteenth of part first of the Revised Statutes, entitled 'Of common schools;'" which was committed to a committee of the whole.

A copy of a resolution was received from the Assembly, and read, in

the words following, to wit:

Resolved, (if the Senate concur,) That the two Houses proceed, on the seventh day of February next, at twelve o'clock at noon, to the election of a United States senator, in the place of Silas Wright junior, whose term of service expires on the fourth day of March next.

Thereupon,

Resolved, 'That the Senate do concur with the Assembly in their said resolution.

Ordered, That the clerk deliver said resolution of concurrence to the

Assembly.

The report of the Canal Commissioners, on the petition of John I. Cook and Timothy Jenkins, was received and read.

[See Senate Document No. 16.]

Ordered, That said report be referred to the committee on canals.

A report of the Canal Commissioners, on the petition of A. Stebbins, was received and read.

[See Senate Document No. 17.]

Ordered, That the said report be referred to the committee on canals. Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to divide the eleventh ward of the city of New-York into two wards," and that the same be ordered to a third reading.

Mr. Maison asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act in addition to the Revised Statutes, relating to the time of commencing actions;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

The Senate then took up the further consideration of the following resolution:

Resolved, That the committee on banks and insurance companies be instructed to report a bill declaring it unlawful for any member of the Legislature to subscribe for any stock of any incorporated bank created by any act of the Legislature whereof he is a member, in his own name or in the name of any other person, or to purchase or own, or in any manner whatever to become interested in any such stock.

Thereupon,

Mr. Mack moved to strike out "banks and insurance companies," in the first line, and to insert "the judiciary."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. J. Beardsley Mr. L. Beardsley	Mr. H. F. Jones Mr. J. P. Jones	Mr. McLean Mr. Maison	
Mr. Downing	Mr. Lacy	Mr. Paige	
Mr. Hunter Mr. Huntington	Mr. Livingston Mr. Loomis	Mr. Seger Mr. Tallmadge	15

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. Beckwith Mr. Dickinson Mr. Edwards Mr. Johnson	Mr. Mack Mr. Powers Mr. Spraker Mr. Tracy	Mr. Van Dyck Mr. Wager Mr. Willes Mr. Young
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Mr. Mack then moved to strike out the words "to report a bill declaring it unlawful for," and to insert "to inquire into the expediency of prohibiting by law."

Mr. Seger made a motion to lay the said resolution and amendment

on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Powers	
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Spraker	
Mr. L. Beardsley	Mr. Lacy	Mr. Tallmadge	
Mr. Beckwith	Mr. Livingston	Mr. Tracy	
Mr. Dickinson	Mr. Loomis	Mr. Van Dyck	
Mr. Downing	Mr. McLean	Mr. Wager	
Mr. Edwards	Mr. Mack	Mr. Willes	
Mr. Hunter	Mr. Maison	Mr. Young	-
Mr. Huntington	Mr. Paige	J	26

FOR THE AFFIRMATIVE.

Mr. Seger

Mr. President then put the question on the motion of Mr. Mack, and it was decided in the affirmative.

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The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Mack
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Maison
Mr. L. Beardsley Mr. Dickinson Mr. Downing Mr. Huntington	Mr. Lacy Mr. Livingston Mr. McLean	Mr. Powers Mr. Tallmadge Mr. Wager

	FOR THE NEGA	TIVE.	
Mr. Beckwith Mr. Edwards Mr. Hunter Mr. Loomis	Mr. Paige Mr. Seger Mr. Spraker Mr. Tracy	Mr. Van Dyck Mr. Willes Mr. Young	11

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Thereupon,

After further amending the said resolution, the same was agreed to,

in the words following, to wit:

Res lved. That the committee on banks and insurance companies be instructed to inquire into the expediency of prohibiting by law, any member of the Legislature from subscribing for any stock of any incorporated bank created by any act of the Legislature whereof he is a member, in his own name or in the name of any other person, or to purchase or own, or in any manner whatever to become interested in any such stock on the distribution thereof.

Mr. Paige gave notice that he would hereafter ask leave to amend the rules and orders of the Senate, so as to provide for the adoption of

the previous question.

Mr. Huntington, from the committee on engrossed bills, reported as

correctly engrossed, two bills, of the following titles, to wit:

"An act to amend an act entitled 'An act to incorporate the Society for the relief of orphan and destitute children in the city of Albany,' passed April 27, 1835:"

"An act in relation to the office of surrogate."

Thereupon,

The said engrossed bill, entitled "An act to amend an act entitled 'An act to incorporate the Society for the relief of orphan and destitute children in the city of Albany,' passed April 27, 1835," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Powers
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Seger
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Spraker
Mr. Beckwith	Mr. Lacy	Mr. Tallmadge
Mr. Dickinson	Mr. Livingston	Mr. Tracy
Mr. Downing	Mr. Loomis	Mr. Van Dyck
Mr. Edwards	Mr. McLean	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Young
Mr. Huntington	Mr. Paige	

The said engrossed bill, entitled "An act in relation to the office of surrogate," was read the third time and passed.

Ordered. That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act authorizing the appointment of a supreme court commissioner in the town of Painted-Post, in the county of Steuben, passed April 20, 1836," was read the third time and passed.

The bill from the Assembly, entitled "An act to divide the eleventh ward of the city of New-York into two wards," was read the third time and passed; two-thirds of all the members elected to the Senate

voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Seger
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Spraker
Mr. L. Beardsley	Mr. Lacy	Mr. Tallmadge
Mr. Beckwith	Mr. Livingston	Mr. Tracy
Mr. Dickinson	Mr. Loomis	Mr. Van Dyck
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Young
Mr Johnson	Mr. Powers	•

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

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The bill from the Assembly, entitled "An act authorizing the appointment of a supreme commissioner to reside in the village of Amster-

dam, in the county of Montgomery," was read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the negative.

Thereupon,

Resolved, That the said bill be rejected.

Ordered, That the clerk deliver said bill and a copy of said resolu-

tion to the Assembly.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorizing the Governor to appoint a coroner for the city and county of New-York, to supply a vacancy in said office;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Beckwith, from the said committee, reported the same with an amendment; which was agreed to by the Senate, the amendment ordered to be engrossed, and the bill to a third

Then the Senate adjourned until 11 o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M.—FEBRUARY 1, 1837.

The Senate met pursuant to adjournment.

Mr. Loomis presented the petition of Herman H. Bogart and others, praying for the incorporation of a cotten and woollen manufacturing company at Dresden in the county of Yates; which was read, and referred to the committee on manufactures.

Mr. Mack presented the remonstrance of sundry inhabitants of the county of Tioga, against reannexing a part of the town of Barton to the town of Chemung; which was read, and referred to the communities

on the division of towns and counties.

Mr. Powers, from the committee on banks and insurance companies, in pursuance of a resolution of the Senate, instructing them to inquire into the expediency of providing by a general law for the sale of the stock of banks at public auction, and for the payment of the premium arising therefrom into the common school fund, or for such other disposition of such premium as they may think proper, brought in a bill, entitled "An act to regulate the distribution of bank stock;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the said bill be printed.

Mr. Mack, from the committee on rail-roads, to whom was referred the petition of the New-York and Harlaem Rail-Road Company, brought in a bill, entitled "An act for extending the time for completing the New-York and Harlaem Rail Road;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Mack, from the same committee, to whom was referred the petition of the directors of the Oswego and Utica Rail-Road Company, brought in a bill, entitled "An act to amend an act to provide for the construction of the Oswego and Utica Rail-Road," passed May 13, 1836; which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. L. Beardsley, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act to amend section thirteen of title two of chapter seventh of the first part of the Revised Statutes, relating to the powers, duties and privileges of the two houses, and their members and officers;" which was committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act in relation to the court-house, jail and clerk's office in the county of Montgomery,' passed May 24, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to appoint commissioners to lay out a road from York to Avon;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act authorizing certain persons to drain Cruso lake, in the county of Wayne;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the seventh senate district.

A bill was received from the Assembly for concurrence, entitled "An act to authorize a portion of the First Christian party of Oneida Indians, to purchase certain lands of the Second Christian party of Oneida Indians;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on Indian affairs.

Four several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act confirming the acts of John A. Seeber, a commissioner of deeds:"

- "An act to amend an act entitled 'An act directing the manner of choosing electors of President and Vice-President,' passed April 15, 1829:"
 - "An act relative to the rights and competency of witnesses:"

"An act concerning the temporary relief of paupers in the county of Warren:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the common council of the city of Buffalo to loan money;" which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

The report of Henry Salsbury, inspector of lumber for the city and

county of Albany, was received and read.

[See Senate Document No. 41.]

The report of B. C. Capron, an inspector of lumber for the city and county of Albany, was received and read.

[See Senate Document No. 42.]

Ordered, That said reports be referred to the committee on manufactures.

Ordered, That two reports, now on the table, be referred to the same committee.

The report of the Schenectady Savings Bank, was received and read.

[See Senate Document No. 43.]

Ordered. That the said report be referred to the committee on banks and insurance companies.

Mr. Maison moved that two additional members be added to the committee heretofore appointed on the resolution relating to the sale and

transfer of stock by the Hon. Samuel Young, in the Saratoga County Bank.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. L. Beardsley	Mr. H. F. Jones	Mr. Paige
Mr. Beckwith	Mr. Lacy	Mr. Powers
Mr. Dickinson	Mr. Livingston	Mr. Spraker
Mr. Hunter	Mr. Loomis	Mr. Van Dyck
Mr. Johnson	Mr. McLean	•

FOR THE AFFIRMATIVE.

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Mr. Armstrong	Mr. J. P. Jones	Mr. Tallmadge	
Mr. J. Beardsley	Mr. Lawyer	Mr. Wager	
Mr. Downing Mr. Huntington	, Mr. Mack Mr. Seger	Mr. Willes	11

On motion of Mr. Loomis,

Resolved, That the select committee to whom was referred the petition of sundry citizens of the county of Oneida, praying for an investigation into the manner in which the capital stock of the Oneida Bank was distributed, be also authorized to inquire into the manner in which the said capital stock was paid in—and particularly whether any portion thereof was hypothecated or pledged to any corporation, or individual or individuals, to obtain the means of paying in the same or any part thereof, with an understanding or agreement that the money so obtained shall be repaid or loaned to such corporation, or individual or individuals, by the said Oneida Bank, or by its directors, after the said bank should have commenced its operations, and whether the letter, spirit or intent of the twenty-fifth section of the act of incorporation of said bank, has been in any respect violated.

Mr. J. P. Jones asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to restrict and equalize certain fees of notaries public;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on

the judiciary.

Mr. Downing asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act authorizing the appointment of a supreme court commissioner in the county of Richmond;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Paige, pursuant to notice heretofore given, moved the following

amendments to the rules of the Senate:

Resolved, That the rules and orders of the Senate be amended as follows, viz:

Insert "for the previous question," after the word "unless," in the second line of the eleventh rule.

Insert the following as the twelfth rule: "A motion for the previous question shall preclude all amendment and debate of the main question."

As rule 13th: "The previous question shall be as follows: 'Shall the main question be now put.'"

As rule 14th: "The motion for the previous question shall be decided without debate."

And make the subsequent rules to correspond as to numbers.

Mr. President then put the question on agreeing to said resolution, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Paige
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Powers
Mr. L. Beardsley	Mr. McLean	Mr. Seger
Mr. Dickinson	Mr. Mack	Mr. Wager
Mr. Downing	Mr. Maison	J

FOR THE NEGATIVE.

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Mr. Beckwith Mr. Edwards Mr. Hunter	Mr. Lacy Mr. Livingston Mr. Loomis	Mr. Tracy Mr. Van Dyck Mr. Willes
Mr. Huntington Mr. H. F. Jones	Mr. Spraker Mr. Tallmadge	Mr. Young
MIL XI. P. JUNCS	mi. i ammauge	

The yeas and nays being equally divided, the President gave the casting vote in the negative.

Mr. Mack gave notice of an additional rule of the Senate, as follows:

"No senator shall in his place, or in the course of debate, assail the private character of any member of the Senate, or impute to the Senate as a body, or to any member or members thereof, corrupt motives or conduct in relation to any vote or act in the discharge of his or their official duties: but every imputation or charge of corrupt motives or official misconduct against any member of the Senate, shall be specifically made in writing, addressed to the President of the Senate, and signed by the senator by whom such imputation or charge shall be preferred."

The bill from the Assembly, entitled "An act authorizing the common council of the city of Buffalo to loan money," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Powers
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Seger
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker
Mr. Beckwith	Mr. Lawyer	Mr. Tallmadge
Mr. Dickinson	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Young
Mr. Johnson	3	J

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amend-

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Then the Senate adjourned until 11 o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M.—FEBRUARY 2, 1837.

The Senate met pursuant to adjournment.

Mr. Dickinson presented the petition of Joseph Himes, and Amelia Himes his wife, praying that the name of Andrew Jackson Cooke may be changed to Andrew Jackson Himes; which was read, and referred to the committee on the judiciary.

Mr. H. F. Jones presented the petition of sundry inhabitants of the county of Queens, praying for an act of incorporation, to be called the Hempstead Rail-Road Company; which was read, and referred to the

committee on rail-roads.

ment.

Mr. Powers presented five several petitions of sundry inhabitants of Columbia county, for a bank at Hudson; which were read, and referred to the committee on banks and insurance companies.

Mr. Wager presented the petition of sundry inhabitants of Jefferson county, for a law authorizing the Utica and Schenectady Rail-Road Company to carry freight; which was read, and referred to the committee on rail-roads.

Mr. Young, from the committee on literature, to whom was referred the memorial of D. M. Smith and others, brought in a bill, entitled "An act incorporating the Hudson River Agricultural Seminary;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Edwards, from the committee on the judiciary, to whom was referred the bill entitled "An act authorizing the appointment of a supreme court commissioner in the county of Richmond," reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Powers, from the committee on banks and insurance companies, in pursuance of a resolution on that subject, brought in a bill, entitled "An act to prohibit members of the Legislature from subscribing for or in any manner becoming interested in any stock of any incorporated bank, on the distribution or sale of the said stock, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the said bill be printed.

Mr. Maison, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act confirming the acts of John A. Seeber, a commissioner of deeds;" which was committed to a committee of the whole.

A copy of a resolution was received from the Assembly, and read, in

the words following, to wit:

Resolved, (if the Senate concur,) That this Legislature tender an expression of their thanks to the Senate of the United States, and their congratulations to the country, for the recent act of the former in expunging from its Journal the resolution adopted March 28th, 1834, unjustly impeaching the executive proceedings of President Jackson in relation to the public revenue.

Mr. President put the question on agreeing to said resolution, and it

was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Paige	
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Powers	
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Seger	
Mr. Beckwith	Mr. Lawyer	Mr. Spraker	
Mr. Dickinson	Mr. Livingston	Mr. Van Dyck	
Mr. Downing	Mr. Loomis	Mr. Wager	
Mr. Edwards	Mr. McLean	Mr. Willes	
Mr. Hunter	Mr. Mack	Mr. Young	
Mr. Huntington	Mr. Maison	,	26
	FOR THE NEGATI	VE.	

Thereupon,

Mr. Lacy

Resolved, 'That the Senate do concur with the Assembly in their said resolution.

Mr. Tracy

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Mr. Tallmadge

Ordered, That the clerk deliver said resolution of concurrence to the Assembly.

A communication was received from the Commissioners of the Land-Office, and read.

[See Senate Document No. 21.]

Ordered, That the same be referred to the committee on the judiciary.

On motion of Mr. Powers,

Resolved, That the committee on the judiciary be instructed to inquire whether any statutory provision is necessary to regulate costs in proceedings, (founded upon a recovery of lands in the action of ejectment,) to obtain compensation for the use and occupation of such lands, where the mesne profits do not amount to fifty dollars.

Mr. Dickinson asked for, and by unanimous consent obtained leave, to bring in a bill, entitled "An act to amend title three, chapter four, of part two of the Revised Statutes, entitled 'Of the interest of money;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole

when on the bill on that subject.

Ordered, That the said bill be printed.

Mr. Livingston asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to amend title third, chapter fourth of the second part of the Revised Statutes, entitled 'Of the interest of money;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole when on the bill on that subject.

Ordered, That the said bill be printed.

Mr. Johnson asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act in addition to an act entitled 'An act to amend article third, title one, chapter eighteen, of part first of the Revised Statutes, relating to turnpike incorporations;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The Senate then took up the consideration of the additional rule yesterday offered by Mr. Mack, which was again read as follows, to wit:

"No senator shall in his place, or in the course of debate, assail the private character of any member of the Senate, or impute to the Senate as a body, or to any member or members thereof, corrupt motives or conduct in relation to any vote or act in the discharge of his or their official duties; but every imputation or charge of corrupt motives or efficial misconduct against any member of the Senate, shall be made specifically in writing, addressed to the President of the Senate, and signed by the senator by whom such imputation or charge shall be made."

Mr. President put the question on agreeing to said rule, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Huntington	Mr. Maison
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Paige
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Powers
Mr. Dickinson	Mr. Lawyer	Mr. Seger
Mr. Downing	Mr. Livingston	Mr. Tallmadge
Mr. Hunter	Mr. Mack	Mr. Wager

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FOR THE NEGATIVE.

Mr. Beckwith Mr. Edwards	Mr. Loomis Mr. McLean	Mr. Van Dyck Mr. Willes
Mr. Johnson	Mr. Spraker	Mr. Young
Mr. Lacy	Mr. Tracy	

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to confirm the acts of John A. Morrison as a commissioner of deeds in the town of Mamaka-

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ting," and that the same be engrossed for a third reading.

The bill from the Assembly, entitled "An act authorizing the Governor to appoint a coroner for the city and county of New-York, to supply a vacancy in said office," with the engrossed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amend

ments therewith delivered.

The Senate then, pursuant to the special order of the day, resolved itself into a committee of the whole, on the resolutions offered by Mr. Edwards, in relation to the judiciary; and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and obtained leave to sit again.

Ordered, That the bill entitled "An act to repeal, with certain limitations, title three of chapter four of part second of the Revised Statutes,"

be made the special order of the day for Monday next.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act to incorporate the Washington County Woollen and Cotton Manufacturing Company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Wager, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Luther Pardee, John I. Beardslee and Lavinia Beardslee;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Willes, from the said committee,

reported progress, and asked for and obtained leave to sit again.

The Senate adjourned until 11 o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK, A. M.—FEBRUARY 3, 1837.

The Senate met pursuant to adjournment.

Mr. Powers presented the petition of the president and directors of the eastern branch of the Schoharie turnpike road, praying for a law to extend the time for repairing five miles of their road; which was read, and referred to the committee on roads and bridges.

Mr. Lawyer presented the petition of sundry inhabitants of Schoharie county, for the incorporation of the Schoharie Academy; which was

read, and referred to the committee on literature.

Mr. Maison, from the committee on the judiciary, to whom was referred the petition of Joseph Himes and Amelia Himes, brought in a bill, entitled "An act altering the name of Andrew Jackson Cooke;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

Mr. Maison, from the committee on the judiciary, in pursuance of a resolution, brought in a bill, entitled "An act in addition to the act entitled 'An act to compel voluntary associations to furnish to the public the names of their members;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, 'I hat the said bill be printed.

Mr. Spraker, from the committee on the poor-laws, reported with amendments, the bill from the Assembly, entitled "An act concerning the temporary relief of paupers in the county of Warren;" which was

committed to a committee of the whole.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act directing the manner of choosing electors of President and Vice-President,' passed April 15, 1829;" which was committed to a committee of the whole.

Mr. Edwards, from the committee on the judiciary, to whom was referred the bill entitled "An act in addition to an act entitled 'An act to amend article third, title one, chapter eighteen of part first of the Revised Statutes, relating to turnpike incorporations," reported the same with amendments; which was committed to a committee of the whole.

Mr. Edwards, from the committee on the judiciary, to whom was referred the bill entitled "An act in addition to the Revised Statutes, relating to the time of commencing actions," reported the same without expressing any opinion thereon; which was committed to a committee of the whole.

Mr. Young, from the committee on literature, brought in a bill, entitled "An act in relation to the distribution of the income of the literature fund;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the said bill be printed.

Mr. Armstrong, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act authorizing certain persons to drain Cruso lake, in the county of Wayne;" which was agreed to by the Senate, and the bill ordered to a third reading.

A copy of a resolution was received from the Assembly, and read in

the words following, to wit:

Resolved, (if the Senate concur,) That the two Houses will proceed to the choice of a Treasurer of this State, on Monday next, at twelve o'clock at noon.

Resolved, That the Senate do concur in the foregoing resolution of the Assembly.

Ordered, That the clerk deliver a copy of said resolution of concur-

rence to the Assembly.

The bill entitled "An act to repeal in part the Revised Statutes, relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Resolved, That the Senate do concur with the Assembly in their

said amendments to the said bill.

Ordered, That the clerk deliver said bill, and a copy of said resolu-

tion to the Assembly.

A bill was received from the Assembly for concurrence, entitled "Am act for the relief of Keyes P. and Hyman J. Cool;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act to furnish the Legislature with the Revised Statutes;" which was read the first time, and by unanimous consent was also read a second

time, and committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Peck-slip and Williamsburgh Ferry Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senattors attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act supplemental to an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to combine the same into one act;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to extend the time for the collection of taxes in the town of Salina, Onondaga county;" which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

Mr. Livingston offered the following resolution:

Resolved, That the clerk be directed to furnish for the use of the Senate, twenty copies of the new edition of the Revised Statutes.

Ordered, That the said resolution be laid on the table.

Mr. Loomis moved the following resolution:

Resolved, That all corporations organized in pursuance of the provisions of an act entitled "An act relative to incorporations for manu-

facturing purposes," passed March 22, 1811," in the judgment of this Senate, are legally and constitutionally created, and that the said act is in full force and effect, and not abrogated by any provisions of the present Constitution of this State.

Ordered. That the said resolution be laid on the table.

Mr. Talimadge asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act concerning last wills and testaments;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Huntington, from the committee on engrossed bills, reported as

correctly engrossed, two bills, of the following titles, to wit:

"An act authorizing the appointment of a supreme court commissioner for the county of Richmond:"

"An act to confirm the acts of John A. Morrison as a commissioner of deeds in the town of Mamakating."

Thereupon,

The said engrossed bill, entitled "An act authorizing the appointment of a supreme court commissioner for the county of Richmond," was read the third time and passed.

The said engrossed bill, entitled "An act to confirm the acts of John A. Morrison as a commissioner of deeds in the town of Mamakating," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and

request their concurrence to the same.

The bill from the Assembly, entitled "An act to extend the time for the collection of taxes in the town of Salina, Onondaga county," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act authorizing certain persons to drain Cruso lake, in the

county of Wayne," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole on the resolutions in relation to the judiciary; and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK, A. M.—FEBRUARY 4, 1837.

The Senate met pursuant to adjournment,

Mr. Seger presented three several petitions of sundry inhabitants of the town of Vienna, for the purchase of the Oneida Lake canal and feeder; which were read, and referred to the committee on canals.

Mr. Seger presented the remonstrance of the first judge and sundry members of the bar of the county of Lewis, remonstrating against the application of the board of supervisors of that county, for the passage of a law to abolish the January term of the Lewis common pleas; which was read, and referred to the committee of the whole when on that bill.

Mr. Edwards presented the petition of sundry inhabitants of the county of Onondaga, praying for an amendment of the act authorizing the establishment of the New-York State Lunatic Asylum: which was read, and referred to the committee on public buildings.

Mr. Young presented the petition of the Waterford Academy, praying for a participation of the Literature fund; which was read, and re-

ferred to the committee on literature.

Mr. Wager presented two several petitions of sundry inhabitants of the town of Lenox, for the purchase of the Oneida Lake canal and feeder; which were read, and referred to the committee on canals.

Mr. Wager presented the petition of sundry inhabitants of Oneida and Jefferson counties, for an amendment of the charter of the Utica and Schenectady Rail-Road Company, so as to authorize them to carry freight; which was read, and referred to the committee on rail-roads.

Mr. Wager presented the petition of sundry inhabitants of Oneida and Madison counties, praying for the erection of a new town, to be called Oneida; which was read, and referred to the committee on the

division of towns and counties.

Mr. Spraker presented the petition of sundry inhabitants of the towns of Minden and Oppenheim, in the county of Montgomery, for the incorporation of a company to build a bridge over the Mohawk river between said towns; which was read, and referred to the committee on roads and bridges.

Mr. Loomis, from the committee on Indian affairs, reported without amendment, the bill from the Assembly, entitled "An act to authorize a portion of the First Christian party of Oneida Indians to purchase certain lands of the Second Christian party of Oneida Indians;" which was referred to the committee of the whole when on the resolutions in

relation to the judiciary.

Mr. L. Beardsley asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to improve the bank currency of this State, by rendering bank notes of uniform par value, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Ordered, That the said bill be printed.

Mr. J. P. Jones asked for, and by unanimous consent obtained leave

to bring in a bill, entitled "An act to prevent injury by mad dogs;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The Assembly examined and returned the bill entitled "An act to repeal in part the Revised Statutes, relating to unauthorized banking, and the circulation of certain notes or evidences of debt issued by banks;" which was presented to his excellency the Governor by the clerk.

The Senate then again resolved itself into a committee of the whole on the resolutions in relation to the judiciary, and on the bill from the Assembly, entitled "An act to authorize a portion of the First Christian party of Oneida Indians to purchase certain lands of the Second Christian party of Oneida Indians;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress on said resolutions, and asked for and obtained leave to sit again.

Mr. Spraker further reported that the committee had agreed to the said bill without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

Then the Senate adjourned until 11 o'clock on Monday morning next.

MONDAY, 11 O'CLOCK, A. M.—FEBRUARY 6, 1837.

The Senate met pursuant to adjournment.

Mr. Edwards presented the petition of the trustees of Manlius Academy, for a law allowing that institution to participate in the literature fund and surplus revenue; which was read, and referred to the committee on literature.

Mr. Edwards presented a petition from sundry inhabitants of the county of Onondaga, praying for a law authorizing the State to purchase the Oneida Lake canal and feeder; which was read, and referred to the committee on canals.

Mr. Edwards presented two several petitions of sundry inhabitants of the county of Onondaga, on the subject of distilling grain, requesting the interference of the Legislature; which was read, and referred to the committee on manufactures.

Mr. Sterling presented the petition of sundry inhabitants of Madison county, for private banking; which was read, and referred to the committee on that subject.

Mr. Spraker presented the remonstrance of sundry inhabitunts of Canajoharie, Montgomery county, against allowing the Schenectady and Utica Rail-Road Company to carry freight on said rail-road; which was read, and referred to the committee on rail-roads.

Mr. Wager presented the petition of sundry inhabitants of the town of Constantia, Oswego county, praying for the passage of a law autho-

rizing the Canal Board to purchase the Oneida Lake canal; which

was read, and referred to the committee on canals.

Mr. Downing presented three several petitions of sundry inhabitants of Richmond county, for a new court-house and jail in said county; which was read, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

Mr. Wager presented the petition of sundry inhabitants of the counties of Oneida and Madison, praying for the passage of a law authorizing the Utica and Schenectady Rail-Road Company to carry freight;

which was read, and referred to the committee on rail-roads.

Mr. H. F. Jones, from the committee on charitable and religious societies, to which was referred the petition of the trustees of the Seaman's Fund and Retreat, for a loan from the Marine Hospital Fund, to complete their buildings on Staten-Island, made a report thereon, and brought in a bill, entitled "An act to enable the trustees of the Seaman's Fund and Retreat to borrow money from the Passengers' Fund;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

[See Senate Document No. 23.]

Mr. Loomis, from the committee on manufactures, to whom was referred the petition of Herman H. Bogart and others, praying for the incorporation of a cotton and woollen manufacturing company at Dresden in the county of Yates, made a report thereon, accompanied with the following resolution:

Resolved, That the committee on manufactures be discharged from the further consideration of the petition of H. H. Bogart and others, heretofore referred to them, inasmuch as in the judgment of the Senate no special legislation is necessary to enable the said petitioners to be-

come incorporated for the purposes proposed.

Ordered. That said report and resolution be laid on the table.

[See Senate Document No. 22.]

Mr. Tracy, from the committee on claims, reported against the passage of the bill from the Assembly, entitled "An act for the relief of Keyes P. and Hyman J. Cool;" which was committed to a committee of the whole.

The bill entitled "An act authorizing the Governor to appoint a coroner for the city and county of New-York, to supply a vacancy in said office," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act authorizing money to be raised by tax on certain towns of the county of Erie, for improving the roads passing through the Indian reservation in said county;" which was read the first time, and by unani-

mous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the eighth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the erection of a new court-house, jail, clerk's and surrogate's offices in the county of Richmond;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the trustees of the village of Geddes, to appoint a wood inspector;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the in-

corporation of cities and villages.

Mr. Maison, pursuant to notice heretofore given, asked for and obtained leave to bring in a bill, entitled "An act authorizing the appointment of commissioners to digest and report a judicial and equity system for the State of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Ordered, That the committee on literature be discharged from the further consideration of the petition of the trustees of the Manlius Academy; the petition for the incorporation of the Schoharie Academy; and the petition of the trustees of the Waterford Academy; and that the same be referred to the committee of the whole, when on the bill entitled "An act in relation to the distribution of the income of the literature fund."

Mr. Young asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act concerning costs on certiorari, appeals and writs of error, and to simplify the practice and proceedings in courts of law and equity;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the said bill be printed.

On motion of Mr. Sterling.

Resolved, That the committee on banks and insurance companies be instructed to inquire what further legislation is necessary to correct the defects in the Safety Fund system, and secure to the people of this State a safe, sound and uniform currency; and that they be particularly instructed to inquire into the expediency of restricting the Safety Fund banks to the receipt of six per cent interest upon their loans, and of requiring them to receive in payment and deposite each other's bills at par, or in some other way equalizing the value of their paper throughout the State: that they also be instructed to inquire into the expediency of enlarging the Safety Fund, and of curtailing the circulation of said banks; and that they have leave to report by bill or otherwise.

The report of Nathaniel Parmeter, inspector of leather for St. Law-

rence county, was received and read.

Ordered, That said report be referred to the committee on manufactures.

Ordered, That the bill entitled "An act to regulate the distribution of bank stock," be made the special order of the day for Monday next.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to amend the seventh title and fourteenth chapter of the first part of the Revised Statutes, entitled 'General regulations concerning the practice of physic and surgery in this State," and that the same be engrossed for a third reading.

ing.

The Senate then, pursuant to the concurrent resolution of the Senate and Assembly of the third instant, proceeded to nominate a Treasurer of this State; when each member present openly nominated as follows:

For ABRAHAM KEYSER.

Mr. Armstrong	Mr. Johnson	Mr. Maison
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Powers
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Seger
Mr. Beckwith	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Wager
Mr. Edwards	Mr. McLean	Mr. Willes
Mr. Hunter	Mr. Mack	Mr. Young
Mr. Huntington		•

For Jonathan Childs.

Mr. Lacy

Mr. Tallmædge

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Thereupon,

Resolved, That Abraham Keyser be and he is hereby nominated on

the part of the Senate, Treasurer of this State.

Resolved, (if the Assembly concur,) That the Senate will immediately meet the Assembly in the Assembly chamber, to compare their nomination of a Treasurer of this State.

Ordered, That the clerk deliver a copy of said resolution to the As-

sembly.

A copy of a resolution was received from the Assembly, informing that they would immediately meet the Senate in the Assembly chamber, to compare their respective nominations of a Treasurer of this State.

Mr. President accordingly left the chair, and with the Senate, proceeded to the Assembly chamber to meet the Assembly; and on comparing their respective nominations, they were found to agree in the name of Abraham Keyser, for Treasurer; and the President thereupon announced and declared the said Abraham Keyser to be duly appointed Treasurer of this State.

Thereupon,

The Senate having returned to the Senate chamber, the President announced the said proceedings to have taken place.

[SENATE JOURNAL.]

On motion of Mr. Powers,

Resolved, That the commissioners appointed under the act passed March 30, 1836, entitled "An act to authorize the establishment of the New-York Lunatic Asylum," report to the Senate what proceedings have been had by them under the said act; and whether they have been able to select a suitable site on which to erect the said asylum; and if not, what difficulties have prevented a location: also, whether further legislation is necessary, to enable them to perform the duty conferred upon them, by the aforesaid act.

Resolved, That the clerk cause a copy of this resolution to be served

on each of the commissioners.

The bill from the Assembly, entitled "An act to authorize a portion of the First Christian party of Oneida Indians to purchase certain lands of the Second Christian party of Oneida Indians," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

The Senate then again resolved itself into a committee of the whole on the resolutions in relation to the judiciary, and on the bill entitled "An act authorizing the appointment of commissioners to digest and report a judicial and equity system for the State of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, on behalf of Mr. Spraker, reported that the committee had agreed to the said resolutions, with amendments; which were read in the words following, to wit:

Resolutions for an amendment to the Constitution.

Resolved, That the following amendments to the Constitution of this State be proposed and referred to the Legislature next to be chosen, and that the Secretary of State cause the same to be published for three months previous to the next annual election, in pursuance of the provisions of the first section of the eighth article of the Constitution:

1st. There shall be appointed two justices of the Supreme Court in addition to the present number, in the same manner the justices of that court are now appointed, each of whom shall be members of the

said court, and possess all the powers of a justice thereof.

2d. The Legislature may reorganize the Court of Chancery: it may reduce the number of circuits, and the number of circuit judges, and authorize the appointment of one or more additional vice-chancellors, but the whole number of vice-chancellors shall not exceed four; but when the number of circuit judges and vice-chancellors shall be fixed by the Legislature, such number shall not thereafter be reduced. It may also define and regulate the powers and duties of the chancellor and vice-chancellors and the right of appeal to a court of chancery, consisting of the chancellor and at least two vice-chancellors, or to the chancellor; and also to regulate appeals to the court for the correction of errors; but no appeal shall be authorized from a vice-chancellor directly to the court for the correction of errors; and may make such provisions by law, as

it may deem necessary, for the reorganization of the said court and the

regulation thereof.

3d. The vice-chancellors shall be members of the court for the trial of impeachments and the correction of errors, in the same manner the chancellor now is, and shall be subject to the same tenure of office, and in like manner be liable to impeachment.

4th. So much of the Constitution as is inconsistent with these provi-

sions is hereby annulled.

Thereupon,

Mr. Maison made a motion to amend the said report, by striking out from the third of said resolutions, in the second and third lines thereof, the words following, to wit:

"Reduce the number of circuits, and the number of circuit judges,

and "

Mr. President put the question on agreeing to the said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. L. Beardsley	Mr. Livingston	Mr. Sterling	
Mr. Beckwith	Mr. Loomis	Mr. Tracy	
Mr. Edwards	Mr. McLean	Mr. Wager	
Mr. Johnson	Mr. Paige	Mr. Willes	
Mr. Lawyer	Mr. Seger	Mr. Young	15

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Huntington	Mr. Maison
Mr. Armstrong Mr. J. Beardsley	Mr. H. F. Jones	Mr. Powers
Mr. Dickinson	Mr. Lacy	Mr. Tallmadge
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr Unnter		•

Mr. President, then put the question on agreeing to said report, and it was decided in the affirmative.

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The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley Mr. Dickinson Mr. Downing Mr. Edwards Mr. Hunter	Mr. Johnson Mr. Lawyer Mr. McLean Mr. Paige Mr. Seger	Mr. Sterling Mr. Van Dyck Mr. Wager Mr. Willes	
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POR THE NEGATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Powers
Mr. J. Beardsley	Mr. Livingston	Mr. Tallmadge

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Mr. Beckwith Mr. Loomis Mr. Tracy Mr. Huntington Mr. Mack Mr. Young

Mr. H. F. Jones Mr. Maison

Thereupon,

The yeas and nays being equally divided, Mr. President gave the casting vote in the affirmative.

Ordered, That said resolutions be engrossed for a third reading.

Mr. Seger further reported progress on said bill, and asked for and obtained leave to sit again.

Ordered, That the special order of the day, to wit, the bill entitled "An act to repeal, with certain limitations, title third of chapter four of part second of the Revised Statutes," be postponed until Thursday next.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Luther Pardee, John I. Beardslee and Lavinia Beardslee;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Willes, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

TUESDAY, 11 O'CLOCK, A. M.—FEBRUARY 7, 1837.

The Senate met pursuant to adjournment.

Mr. Powers presented the petition of the president and trustees of the Greenbush and Schodack Academy, praying for an alteration of their charter; which was read, and referred to the committee of the whole when on that subject.

Mr. Wager presented the petition of sundry inhabitants of Jefferson county, praying for a law authorizing the Utica and Schenectady Rail-Road Company to carry freight; which was read, and referred to the committee on rail-roads.

Mr. Tallmadge presented the petition of the inhabitants of the county of Richmond, for the erection of a new court-house, jail, &c. at New-Dorp in said county; which was read, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

Mr. Mack presented four several petitions of sundry inhabitants of the town of Barton, to annex a part of that town to Chemung; and also a petition from the town of Chemung for the same object; which were read, and referred to the committee on the division of towns and counties.

Mr. L. Beardsley, from the committee on the judiciary, reported with amendments, without expressing any opinion, the bill from the Assembly, entitled "An act relative to the rights and competency of witnesses;" which was committed to a committee of the whole.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, two bills, of the following titles, to wit:

"An act altering the name of Andrew Jackson Cooke:"

"An act authorizing the establishment of a medical faculty in the University of the city of New-York."

Thereupon,

The said engrossed bill, entitled "An act authorizing the establishment of a medical faculty in the University of the city of New-York," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Seger
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Spraker
Mr. L. Beardsley	Mr. Lacy	Mr. Sterling
Mr. Beckwith	Mr. Lawyer	Mr. Tallmadge
Mr. Dickinson	Mr. Livingston	Mr. Tracy
Mr. Downing	Mr. Loomis	Mr. Van Dyck
Mr. Edwards	Mr. McLean	Mr. Wager
Mr. Hunter	Mr. Mack	Mr. Willes
Mr. Huntington	Mr. Maison	Mr. Young
Mr. Johnson	Mr. Powers	· ·

The said engrossed bill, entitled "An act altering the name of Andrew Jackson Cooke," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and

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request their concurrence to the same.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act authorizing the appointment of commissioners to digest and report a judicial and equity system for the State of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Ordered, That the said bill be printed.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Luther Pardee, John I. Beardslee and Lavinia Beardslee;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Willes, from the said committee, reported the same with amendments; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Washington County Woollen and Cotton Manufacturing Company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Wager, from the said committee, reported the same with amendments; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then, pursuant to article fourth, title sixth, chapter sixth

of the first part of the Revised Statutes, and the concurrent resolution of the Senate and Assembly of the 31st of January last, proceeded openly to nominate a Senator, to represent this State in the Senate of the Congress of the United States, to fill the vacancy which will occur on the fourth day of March next, by the expiration of the term of the Hon. Silas Wright junior, when each member openly nominated, as follows:

For SILAS WRIGHT JR.

Mr. Armstrong	Mr. Johnson	Mr. Powers
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Seger
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Spraker
Mr. Beckwith	Mr. Livingston	Mr. Sterling
Mr. Dickinson	Mr. Loomis	Mr. Van Dyck
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Young
Mr. Huntington	Mr. Paige	J

For Ambrose L. Jordan.

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Mr. Lacy Mr. Tallmadge Mr. Tracy

Thereupon,

Resolved, That Silas Wright junior is nominated on the part of the Senate, a Senator to represent this State in the Senate of the Congress of the United States, to fill the vacancy which will occur on the fourth day of March next, by the expiration of the term of service of the said Silas Wright junior.

Resolved, (if the Assembly concur,) That the Senate will immediately meet the Assembly in the Assembly chamber, to compare their nomination of a Senato to represent this State in the Senate of the Con-

gress of the United States.

Ordered, That the clerk deliver a copy of said resolution to the As-

sembly.

A copy of a resolution from the Assembly, delivered by their clerk, was read, informing that they had concurred in the resolution of the Senate for comparing their respective nominations of a Senator in the

Congress of the United States.

Mr. President accordingly left the chair, and with the Senate, proceeded to the Assembly chamber to meet the Assembly; and on comparing their respective nominations, they were found to agree in the name of Silas Wright junior; and the President thereupon announced and declared the said Silas Wright junior to be duly appointed by the Legislature of this State, a Senator to represent this State in the Senate of the Congress of the United States, to fill the vacancy occasioned by the expiration of his term of service.

Thereupon,

The Senate having returned to the Senate chamber, the President announced the said proceedings to have taken place.

The Senate then resolved itself into a committee of the whole, on the

bill entitled "An act to repeal the fifth subdivision of section ten of the act entitled 'An act to abolish imprisonment for debt, and to punish frandulent debtors,' passed April 26, 1831;" and after some time spent thereon. Mr. President resumed the chair, and Mr. Lacy, from the said committee, reported the same with amendments; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading. Ordered, 'That the said bill be printed.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act relative to unclaimed trunks and baggage;" and after some time spent thereon, Mr. President resumed the chair, and

Mr. Dickinson, from the said committee, reported progress.

Ordered, That said report be laid on the table.

Ordered, That the bill entitled "An act in relation to the distribution of the income of the literature fund," be made the special order of the day for Saturday next.

Then the Senate adjourned until 11 o'clock to-morrow morning,

WEDNESDAY, 11 O'CLOCK, A. M.—FEBRUARY 8, 1837.

The Senate met pursuant to adjournment.

Mr. Wager presented the memorial of Robert L. More, Samuel More and Andrew More, and of the heirs of Eber Durham, for relief in respect to the lease of certain surplus waters of the Erie canal, and for remuneration and indemnity, &c.; which was read, and referred to the committee on canals.

Mr. Wager presented the further petition of sundry inhabitants from Oneida county, praying that the Utica and Schenectady Rail-Road Company may be permitted to carry freight; which was read, and referred

to the committee on rail-roads.

Mr. Wager presented the petition of sundry inhabitants of the town of Rome, in the county of Oneida, for the purchase of the Oneida Lake canal and feeder; which was read, and referred to the committee on çanals.

Mr. Edwards presented the petition of sundry inhabitants of Onondaga county, on the subject of distilling grain; which was read, and re-

ferred to the committee on manufactures.

Mr., Hunter presented the petition of Gouverneur Morris and others, for an act authorizing the construction of a bridge across the Harlaem river for the use of the inhabitants of Morrisiania; which was read, and referred to the committee on roads and bridges.

Mr. Dickinson presented the resolutions of the State agricultural convention, recommending that \$30,000 be appropriated for the purpose of establishing agricultural societies, &c.; which were read, and referred

to the committee on agriculture.

Ordered, That the said resolutions be printed.

[See Senate Document No. 26.]

Mr. McLean presented the remonstrance of sundry inhabitants of the town of Oppenheim, against the passage of a law incorporating a company to build a bridge across the Mohawk below the foot of the Minden feeder dam; which was read, and referred to the committee on roads and bridges.

Mr. McLean presented the petition of sundry inhabitants of Oppenheim and Minden, for an act incorporating the St. Johnsville bridge company; which was read, and referred to the committee on roads and

bridges.

Mr. Beckwith, from the committee on the division of towns and counties, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act in relation to the courthouse, jail and clerk's office in the county of Montgomery,' passed May 24, 1836;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Tracy, from the committee on claims, to whom was referred the memorial of Adam Hoops, praying for relief in relation to certain acts of the Holland Land Company, made a report thereon, which was laid

on the table.

[See Senate Document No. 25.]

Mr. Livingston, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to provide for the erection of a new court-house, jail, clerk's and surrogate's offices in the county of Richmond; which was committed to a committee of the whole.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to enable the trustees of the Methodist Episcopal Society in the town of Pike, county of Allegany, to sell certain real estate:"

"An act to enable the trustees of the Methodist Episcopal Society in the town of Fabius, county of Onondaga, to sell certain real estate:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Albany Exchange Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the third senate district.

Mr. McLean, in behalf of Mr. Paige, asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to amend an act entitled 'An act to incorporate the Saratoga and Schenectady Bridge Company,' passed April 2, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to the

committee on roads and bridges.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act confirming the official acts of Alonzo Beebe, a justice of the peace for the county of Ontario, and for other purposes," and that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to authorize the executors of John Ireland, deceased, to become purchasers of his real estate," and that the same be engressed for a third reading.

Ordered, That the committee of the whole be discharged from that further consideration of the bill from the Assembly, entitled "An act to confirm the proceedings of the village of Bath, in the county of Steu-

ben," and that the same be ordered to a third reading.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, the "Resolutions for an amendment of the Constitution," and four several bills, of the following titles, to wit:

"An act authorizing the appointment of commissioners to digest and

report a judicial and equity system for the State of New-York:

"An act to incorporate the Washington County Woollen and Cettors Manufacturing Company:"

"An act for the relief of Litther Pardee, John I. Beardslee and La-

vinia Beardslee:"

"An act to amend the fifth subdivision of section ten of the act entitled 'An act to abolish imprisonment for debt, and to punish fraudtitent debtors,' passed April 26, 1831."

Thereupon,

The said engrossed bill, entitled "An act to amend the fifth subdivision of section ten of the act entitled "An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26, 1831," was read the third time and passed.

The said engrossed bill, entitled "An act for the relief of Luther Pardee, John I. Beardslee and Lavinia Beardslee," was read the third time

and passed.

The said engrossed bill, entitled "An act to incorporate the Washington County Woollen and Cotton Manufacturing Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE APPIRMATIVE

Mr. Armstrong	Mr. H. F. Jones	Mr. Paige
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Powers
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker
Mr. Beckwith	Mr. Lawyer	Mr. Sterling
Mr. Dickinson	Mr. Livingston	Mr. Tracy
Mr. Downing	Mr. Loomis	Mr. Van Dyck
Mr. Edwards	Mr. McLean	Mr. Wager
Mr. Hunter	Mr. Mack	Mr. Willes
Mr. Huntington	Mr. Maison	Mr. Young
Mr. Johnson		

Ordered, That the clerk deliver the said hills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to amend an act entitled "An act in relation to the court-house, jail and clerk's office in the

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county of Montgomery,' passed May 24, 1836," was read the third

time and passed.

The bill from the Assembly, entitled "An act to confirm the proceedings of the village of Bath, in the county of Steuben," was read the third time.

Thereupon,

Mr. Livingston moved the following resolution:

Resolved, That the act to confirm the proceedings of the village of Bath, in the county of Steuben, requires the assent of two-thirds of all the senators elected to pass the same.

Mr. President put the question on agreeing to said resolution, and it

was decided in the affirmative.

The yeas and-nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Powers	
Mr. J. Beardaley	Mr. H. F. Jones	Mr. Sterling	
Mr. L. Beardsley	Mr. Lacy	Mr. Tallmadge	
Mr. Beckwith	Mr. Lawyer	Mr. Tracy	
Mr. Downing	Mr. Livingston	Mr. Van Dyck	
Mr. Edwards	Mr. McLean	Mr. Willes	
Mr. Hunter	Mr. Maison	Mr. Young	
Mr. Huntington	Mr. Paige		23
- 8	8		

•	FOR THE NEGATIVE.	
Mr. Dickinson Mr. J. P. Jones	Mr. Mack	Mr. Wager

Thereupon,

Mr. President put the question on the final passage of the said bill, and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Paige	
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Powers	
Mr. L. Beardsley	Mr. Lacy	Mr. Sterling	
Mr. Beckwith	Mr. Lawyer	Mr. Tallmadge	
Mr. Dickinson	Mr. Livingston	Mr. Tracy	
Mr. Downing	Mr. Loomis	Mr. Van Dyck	
Mr. Edwards	Mr. McLean	Mr. Wager	
Mr. Hunter	Mr. Mack	Mr. Willes	
Mr. Huntington	Mr. Maison	Mr. Young	
Mr. Johnson		`	

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

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The bill from the Assembly, entitled "An act confirming the official acts of Alonzo Beebe, a justice of the peace for the county of Ontario, and for other purposes," with the engressed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amend-

ments therewith delivered.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to authorize the erection of a bridge across the Mohawk river, to be called the Glenville and Rotterdam Bridge Company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tallmadge, from the said committee, reported the same with amendments; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M.—FEBRUARY 9, 1837.

The Senate met pursuant to adjournment.

Mr. Edwards presented the petition of sundry inhabitants of the village of Fayetteville, in the town of Manlius, for an act of incorporation for an academy in said village; which was read, and referred to the committee on literature.

Mr. Tallmadge presented the petition of the president and directors of the Bristol and Rensselaerville Turnpike Road Company, for an amendment of their charter; which was read, and referred to the com-

mittee on roads and bridges.

Mr. Tallmadge presented the petition of sundry inhabitants of Albany, Greene and Schoharie counties, to repeal the thirty-sixth section of part first, title first, article third, chapter eighteenth; and also sections fifty-four and fifty-five, part first, title second, article fourth, chapter eighteenth of the Revised Statutes, relative to turnpike companies; which was read, and referred to the committee on roads and bridges.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to appoint commissioners to lay out a road from York to Avon;" which was

committed to a committee of the whole.

Mr. Livingston, from the committee on canals, to which was referred the petition of John I. Cook, Timothy Jenkins and others, praying the passage of a law authorizing the purchase by the State of the Oneida Lake canal and feeder, and the report of the Canal Commissioners thereon, and sundry other petitions, made a report thereon against the prayer of said petitions.

Ordered. That said report be laid on the table.

Mr. Tracy, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act authorizing money to be raised by tax on certain towns of the county of Erie, for improving the roads passing through the Indian reservation in said county;" which was committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the board of supervisors of Orange county, to raise money by tax on the towns of Goshen and Minisink, to build a bridge across the Walkill at Pellett's Island, between said towns;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act authorizing Person Wood, and certain other persons therein named, to change their names;" which was read the first time, and by unanimous consent was also read a second time, and referred to the commit-

tee on the judiciary.

Ordered, That the committee of the whole be discharged from the further consideration of the memorial of the council of the University of the city of New-York for legislative aid, and that the same be referred to the committee on literature.

Ordered, That the committee of the whole have leave to sit again, on the bill entitled "An act relative to unclaimed trunks and baggage."

The Senate then took up the consideration of the following resolution, heretofore offered by Mr. Loomis, from the committee on manufactures.

Resolved, That the committee on manufactures be discharged from the further consideration of the petition of H. H. Bogart and others, heretofore referred to them, inasmuch as in the judgment of the flenate no special legislation is necessary to enable the said petitioners to become incorporated for the purposes proposed.

Mr. President then put the question on agreeing to the said resolution,

and it was decided in the affirmative.

The yeas and mays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. J. Beardsley	Mr. J. P. Jones	Mr. Spraker
Mr. L. Beardsley	Mr. Lacy	Mr. Sterling
Mr. Dickinson	Mr. Lawyer	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Wager
Mr. Hunter	Mr. Mainon	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Young
Mr. H. F. Jones		

FOR THE NEGATIVE.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act relative to unclaimed trunks and baggage;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Huntington, from the said committee, reported progress, and asked for and obtained leave to sit again.

Ordered, 'That the said bill be printed.

The Senate then, pursuant to the special order of the day, resolved itself into a committee of the whole, on the bill entitled "An act to repeal with certain limitations, title three of chapter four of part second of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. H. F. Jones, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK, A. M.—FRBRUARY 10, 1887.

The Senate met pursuant to adjournment.

Mr. Dickinson presented the remonstrance of sundry inhabitants of Earlville, against a repeal of the act appointing commissioners to lay out a road from Smyrna to Earlville; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Mack presented the petiton of sundry inhabitants of the town of Chemung, for an act authorizing the construction of a rail-road from the termination of the Penneylvania North Branch canal, to the Cayuga lake at Ithaca; which was read, and referred to the committee on

rail-roads.

Mr. Maison presented the petition of sundry inhabitants of the county of Albany, praying the passing of an act to prevent frivolous and vexatious suits at law, and to define the rights and privileges of courts and juries, and other acts therein mentioned; which was read, and referred to the committee on the judiciary.

Mr. Mack presented the petition of sundry inhabitants of Chemung; for reannexing a part of the town of Barton to the town of Chemung; which was read, and referred to the committee on the division of towns

and counties.

Mr. Mack presented the petition of the Mohawk and Hudson Rail-Road Company, for leave to borrow \$100,000, and for other purposes;" which was read, and referred to the committee on rail-roads.

Mr. Young presented the petition of William J. Coffee, praying for the purchase by the Senate of a bust of President Andrew Jackson;

which was read, and referred to the committee on literature.

Mr. Wager presented the petition from sundry inhabitants of Jefferson county, for a law authorizing the Utica and Schenectady Rail-Road Company to carry freight; which was read, and referred to the committee on rail-roads.

Mr. Van Dyck presented the petition of sundry inhabitants of the county of Orange, for the incorporation of a company, with a capital of \$150,000, to construct a rail-road from the village of Goshen to the New-Jersey line, with certain other privileges therein enumerated;

which was read, and referred to the committee on rail-roads.

Mr. Edwards presented the petition of sundry inhabitants of the counties of Oneida and Madison, for a law directing the Canal Commissioners to discharge the waters of the Limestone, Butternuts and Chittinango creeks into their natural channels, when they are not required for the navigation of the Erie canal or for the use of the salt pumps; which was read, and referred to the committee on canals.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act for the relief of James Thomson;" which was committed to a committee of the

whole.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to authorize the board of supervisors of Orange county to raise money by tax on the towns of Goshen and Ministink, to build a bridge across the Walkill at Pellett's Island, between said town;" which was read, and referred to the committee of the whole.

The report of Ebenezer Robbins, an inspector of beef and pork for

the county of Oneida, was received and read.

[See Senate Document No. 48.]

Ordered, That said report be referred to the committee on manufac-

Ordered, That the resolutions in relation to the judiciary, be recom-

mitted to a committee of the whole.

Ordered, That the said resolutions be made the special order of the

day for Monday next.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to repeal, with certain limitations, title three of chapter four of part second of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. H. F. Jones, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow merning,

SATURDAY, 11 O'CLOCK, A. M.—FEBRUARY 11, 1837.

The Senate met pursuant to adjournment.

Mr. Spraker presented the proceedings of a public meeting relative to the erection of a bridge across the Mohawk river at St. Johnsville; which was read, and referred to the committee on roads and bridges.

Mr. Livingston presented the petition of the Jackson Marine Insurance Company, for an amendment of its charter; which was read, and referred to the committee on banks and insurance companies.

Mr. McLean presented the petition of a fire company in Union village, Washington county, for an act of incorporation; which was read, and referred to the committee on the incorporation of cities and villages.

Mr. McLean presented the petition of sundry inhabitants of Union village, for an act authorizing the appointment of a supreme court commissioner at that place; which was read, and referred to the committee on the judiciary.

Mr. Downing presented the petition of John Barr, William Powers and Peter Wyckoff junior, executors of Thomas Pool, deceased, for an act authorizing them to sell the real estate of said Thomas Pool, deceased; which was read, and referred to the committee on the judi-

Mr. Maison, from the committee on the judiciary, reported against the bill from the Assembly, entitled "An act to enable the trustees of the Methodist Episcopal Society in the town of Fabius, county of Onondaga, to sell certain real estate;" which was committed to a commit-

tee of the whole.

Mr. Edwards, from the committee on the judiciary, reported against the bill from the Assembly, entitled "An act to enable the trustees of the Methodist Episcopal Society in the town of Pike, county of Allegany, to sell real estate;" which was committed to a committee of the whole.

Mr. Edwards, from the same committee, reported without amendment, the bill from the Assembly, entitled "An act authorizing Person Wood, and certain other persons therein named, to change their names;" which

was committed to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of the president and directors of the North-Hempstead and Flushing Turnpike Road and Bridge Company, for an increase of capital, brought in a bill, entitled "An act to amend the act entitled 'An act to incorporate the North-Hempstead and Flushing Turnpike Road and Bridge Company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Mack, from the committee on rail-roads, to whom was referred the petition of sundry inhabitants of the county of Queens, brought in a bill, entitled "An act to provide for the construction of a rail-road from the village of Hempstead to Bedell's creek, in the town of Hempstead, county of Queens;" which was read the first time, and by unanimque consent was also read a second time, and committed to a sommittee of the whole.

Mr. Mack, from the committee on rail-roads, to whom was referred the petition of sundry inhabitants of Jefferson county, and the remonstrance of sundry inhabitants of Canajoharie in Montgomery county, and other petitions, without expressing any opinion thereon, brought in a bill, entitled "An act authorizing the Utica and Schenectady Rail-Road Company to carry freight;" which was read the first time, and by manimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the said bill be printed.

Mr. Paige, from the joint committee on so much of the Governor's message as relates to the investment and distribution of certain moneys to be received from the General Government, made a report thereon, and brought in a bill, entitled "An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New-York for safe keeping;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That ten times the usual number of said bill and report be printed.

[See Senate Document No. 29.]

Ordered, That said bill be made the special order of the day for

Monday the 20th instant.

Mr. Livingston, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act to incorporate the Peckslip and Williamsburgh Ferry Company;" which was committed to a committee of the whole.

Mr. Paige, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Albany Exchange Company;" which was committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act to incorporate the Buffalo and Niagara Falls Rail-Road Company,' passed May 3, 1834;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on rail-roads.

The annual report of the trustees of the new State Hall, was receiv-

ed and read.

[See Strate Document No. 28.]

Ordered, That said report be referred to the committee on public

buildings.

Ordered, That the joint committee of which Mr. Paige is chairman, be discharged from the further consideration of the memorial of the trustees of Geneva college, for aid; the memorial of the trustees of Hamilton college; and the memorial of the trustees and proprietors of the Hudson River Agricultural Seminary, and that the same he referred to the committee on literature.

Ordered, That the bill entitled "An act authorizing the appointment of commissioners to digest and report a judicial and equity system for the State of New-York," be recommitted to a committee of the whole.

Mr. Huntington, from the committee on engrossed bills, reported as

correctly engrossed, two bills, of the following titles, to wit:

"An act to incorporate the Glenville and Rotterdam Bridge Com-

"An act to authorize the executors of John Ireland, deceased, to be-

come purchasers of his real estate."

Thereupon,

The said engrossed bill, entitled "An act to incorporate the Glenville and Rotterdam Bridge Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Paige
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Spraker
Mr. L. Beardsley	Mr. Lacy	Mr. Sterling
Mr. Dickinson	Mr. Lawyer	Mr. Tallmadge
Mr. Downing	Mr. Livingston	Mr. Tracy
Mr. Edwards	Mr. Loomis	Mr. Wager
Mr. Hunter	Mr. McLean	Mr. Willes
Mr. Huntington	Mr. Mack	Mr. Young
Mr. Johnson	Mr. Maison	

The said engrossed bill, entitled "An act to authorize the executors of John Ireland, deceased, to become purchasers of his real estate," was read the third time and passed.

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Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

On motion of Mr. Seger,

Resolved, That the Comptroller report to the Senate the several sums of money and other property heretofore appropriated and advanced by the State to the several colleges and academies within this State, (excepting the annual distributions from the literature fund,) designating the amount received by each of said institutions.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to repeal, with certain limitations, title three of chapter four of part second of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. H. F. Jones, from the said committee, reported progress, and asked for and obtained leave to sit agaiu.

Then the Senate adjourned until 11 o'clock on Monday morning next.

MONDAY, 11 O'CLOCK, A. M.—FEBRUARY 13, 1837.

The Senate met pursuant to adjournment.

Mr. Works, a senator from the eighth senate district, appeared in the Senate chamber, and having taken the oath required by law, took his seat.

Mr. Wager presented the petition of sundry inhabitants of Jefferson county, praying for a law authorizing the Utica and Schenectady Rail-Road Company to carry freight; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Edwards presented the petition of sundry inhabitants of Onondaga county, on the subject of distilling grain; which was read, and

referred to the committee on manufactures.

Mr. Hunter presented the petition of Allen W. Hardie and others, for the establishment of a ferry between Verplanck's point and Grassy point; which was read, and referred to the committee on roads and

bridges.

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of the president and directors of the Bristol and Rensselaerville Turnpike Road Company, for an amendment of their charter, brought in a bill, entitled "An act to amend the act entitled 'An act to incorporate the Bristol and Rensselaerville Turnpike Road Company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Willes, from the same committee, to whom was referred the petition of the corporation of the Bristol and Rensselaerville Turnpike Road Company, made a report thereon; which was agreed to by the Senate.

[See Senate Document No. 30.]

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Mr. Young, from the committee on literature, to whom was referred the petition of sundry inhabitants of the village of Fayetteville, in the town of Manlius, brought in a bill, entitled "An act incorporating the Fayetteville Academy;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Two several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act authorizing a loan for finishing the Chenango canal:"

"An act for the relief of John A. Ehle and John Spencer, survivors of the late firm of John A. Ehle and company:"

Which were read the first time, and by unanimous consent were also

read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the official acts of Elijah Phillips, a justice of the peace

in and for the county of Oswego;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

After amending the same, it was ordered to a third reading.

The bill entitled "An act confirming the official acts of Alonzo Beebe, a justice of the peace for the county of Ontario, and for other purposes," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

The bill entitled "An act authorizing the establishment of a medical faculty in the University of the city of New-York," was received from the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

A copy of a resolution was received from the Assembly, and read, in

the words following, to wit:

Whereas the good and the great, who through long lives have devoted themselves to the most arduous services, both civil and military, and whose virtue and patriotism have shed about their country an unfading halo of glory, have pre-eminent claims upon the gratitude of a free people:

And whereas General Andrew Jackson, while on the tented field, "filled the measure of his country's glory," and has, while President of these United States for the last eight years, signally distinguished himself for the firmness and patriotism of his public acts, and for the purity

and stern virtue of his private life:

And whereas the period is about arriving when that illustrious man will retire from the high station to which he was called by the suffrages of a free people:

Therefore,

Resolved, (if the Senate concur,) That his Excellency the Governor be requested to tender to Gen. Jackson the high sense this Legislature entertain of the purity and wisdom of his administration; and that the People of New-York, through their representatives, do desire to express their exalted appreciation of his political principles, and their ardent hope that, amid the shades of the Hermitage, the evening of that life he has spent so gloriously for his country, may close around him in calmness and repose.

Ordered, That the said resolution be referred to a select committee,

consisting of Mr. Livingston, Mr. Paige and Mr. Powers.

Mr. Maison asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act for rendering a written memorandum necessary to the validity of certain promises and engagements;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee of the whole, when on the bill entitled "An act in addition to the Revised Statutes, relating to the time of commencing actions."

Ordered, 'That the said bill be printed.

On motion of Mr. Willes,

Resolved, That the committee on roads and bridges be discharged from the further consideration of so much of the petition of inhabitants of Albany, Schoharie and Greene counties, as relates to actions for the collection of penalties and forfeitures, and that the same be referred to the committee on the judiciary.

Ordered, That the bill entitled "An act authorizing the appointment of commissioners to digest and report a judicial and equity system for the State of New-York," be made the special order of the day

for to-morrow.

On motion of Mr. Johnson,

The Senate reconsidered their vote on agreeing to the report of the committee on roads and bridges, on the petition of the corporation of the Bristol and Rensselaerville Turnpike Road Company.

Ordered, That said report be laid on the table.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to repeal, with certain limitations, title three of chapter four of part second of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. H. F. Jones, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

TUESDAY, 11 O'CLOCK, A. M.—FEBRUARY 14, 1837.

The Senate met pursuant to adjournment.

Mr. Beckwith presented three several petitions of sundry citizens of Oneida county, praying for an investigation into the conduct of the commissioners of the Oneida bank; which were read, and referred to the select committee on that subject, of which Mr. Beckwith is chairman.

Mr. Tracy presented the petition of John Sweeney and others, inhabitants of Wheatfield, Niagara county, praying legislative direction for lowering the dam at the mouth of Tonawanda creek; which was read, and referred to the committee on canals.

Mr. Edwards presented the petition of Sylvanus Tousley and others, for a law more effectually to prevent damages by dogs in destroying sheep; which was read, and referred to the committee on agriculture.

Mr. Edwards presented the petition of Warren W. Case, for an amendment of the act passed for his relief in the year 1836; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Johnson presented the remonstrance and petition of John Brown, against the memorial of the Mohawk and Hudson Rail-Road Compa-

ny for an alteration of their charter; which were read, and referred to the committee on rail-roads.

Mr. Paige presented the petition of the common council of the city of Albany, praying to reduce the width of Lumber-street in Albany; which was read, and referred to the committee on the judiciary.

Mr. Edwards, from the committee on the judiciary, to whom was referred the petition of sundry inhabitants of Union village, for an act authorizing the appointment of a supreme court commissioner at that place, reported against the prayer of the petition; which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners ought not to be granted. Mr. Edwards, from the committee on the judiciary, in pursuance of a resolution, reported a bill, entitled "An act regulating costs in proceedings to recover damages for the use and occupation of lands after the judgment in ejectment;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee of the whole, when on the bill entitled "An act concerning costs on certiorari, appeals and writs of error, and to simplify the practice and proceedings in courts of law and equity."

Ordered, That the said bill be printed.

Mr. Dickinson, from the committee on canals, reported without amendment, the bill from the Assembly, entitled "An act authorizing a loan for finishing the Chonango canal;" which was committed to a committee of the whole.

Mr. Maison, from the committee on the judiciary, reported with amendments, the bill entitled "An act to prevent injury by mad dogs in the county of Sullivan;" which was committed to a committee of the whole.

Mr. L. Beardsley, from the committee on the judiciary, reported with amendments, the bill entitled "An act to restrict and equalize certain fees of notaries public;" which was committed to a committee of the whole.

On motion of Mr. Livingston,

Resolved, That the committee on canals be discharged from the further consideration of the "Act for the relief of John A. Ehle and John Spencer," and that the same be referred to the Canal Board to report the facts in relation thereto, with their opinion thereon.

Mr. Livingston, from the committee on canals, to whom was referred the petition of Amaziah Stebbins, a canal contractor, for relief, brought in a bill, entitled "An act for the relief of Amaziah Stebbins;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and villages, reported without amendment, the bill from the Assembly, entitled "An act supplemental to an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to combine the same into one act,' passed May 25, 1836;" which was committed to a committee of the whole.

The eighteenth annual report of the Bank of Savings of the city of New-York, was received and read.

[See Senate Document No. 31.]

A bill was received from the Assembly for concurrence, entitled "An act to confirm the official acts of Hugh Halsey, a master in chancery;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Ordered, That the committee on canals be discharged from the further consideration of the memorial of Robert L. More, Samuel More and Andrew More, and of the heirs of Eber Durham, for relief in respect to the lease of certain surplus waters of the Erie canal, and for remuneration and indemnity, &c., and that the petitioners have leave

to withdraw their petition.

Mr. L. Beardsley asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act amending the act relative to the Bank fund, passed April 29, 1833;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act authorizing a loan for finishing the Chenango canal;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mack, from the said committee, reported the same with an amendment; which was agreed to by the Senate.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Maison
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Paige
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Seger
Mr. Beckwith	Mr. Lacy	Mr. Spraker
Mr. Dickinson	Mr. Lawyer	Mr. Sterling
Mr. Downing	Mr. Livingston	Mr. Tallmadge
Mr. Edwards	Mr. McLean	Mr. Wager
Mr. Hunter	Mr. Mack	Mr. Works
Mr. Huntington		

FOR THE NEGATIVE.

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Mr. Tracy Mr. Willes Mr. Young 3

Ordered, That the said amendment be engrossed, and the bill to a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M.—FEBRUARY 15, 1837.

The Senate met pursuant to adjournment.

Mr. Maison presented the petition of sundry inhabitants of Poughkeepsie, praying to be incorporated by the name of the Poughkeepsie Locomotive Engine Company; which was read, and referred to the committee on manufactures.

Mr. Willes presented the proceedings of a meeting of inhabitants of Ogdensburgh, in the county of St. Lawrence, upon the subject of common schools; which was read, and referred to the committee on literature.

Mr. Van Dyck presented the petition of sundry inhabitants of Orange county, for the incorporation of the Warwick Rail-Road Company; which was read, and referred to the committee on rail-roads.

Mr. Seger, from the committee on the incorporation of cities and villages, reported without amendment, the bill from the Assembly, entitled "An act to authorize the trustees of the village of Geddes, to appoint a wood inspector;" which was committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to amend the charter of the Lima Repulse Fire Engine Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the sale of certain buildings in the village of Johnstown, heretofore known as the court-house, jail and clerk's office of the county of Montgomery, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the fourth senate district.

On motion of Mr. Tallmadge,

Resolved, That the Comptroller report to the Senate, as early as practicable, the amount of moneys loaned under the "act authorizing a loan of moneys to the citizens of this State," passed April 11, 1808; the amount of loans now outstanding, and the amount supposed to be not collectable, from defects of title or otherwise.

Mr. L. Beardsley asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act amending the Revised Statutes, in relation to insurances made on property in this State against losses by fire in foreign countries, and by individuals and associations unauthorized by law;" which was read the first time, and by unanimous consent was also read a second time.

Ordered, That said bill be laid on the table.

The bill from the Assembly, entitled "An act authorizing a loan for finishing the Chenango canal," was read the third time.

Mr. President put the question on the final passage of said bill, and

it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Huntington	Mr. Maison
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Paige
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Seger
Mr. Beckwith	Mr. Lacy	Mr. Spraker
Mr. Dickinson	Mr. Lawyer	Mr. Sterling
Mr. Downing	Mr. Livingston	Mr. Tallmadge
Mr. Edwards	Mr. Loomis	Mr. Wager
Mr. Hunter	Mr. McLean	Mr. Works

FOR THE NEGATIVE.

24

Mr. Tracy	Mr. Willes	Mr. Young	
Mr. Van Dyck		_	4

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act in relation to the distribution of the income of the literature fund;" also on the bill, entitled "An act to amend the act to prohibit the circulation of small bills;" and also on the bill from the Assembly, entitled "An act to incorporate the Albany Exchange Company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maison, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M.—FEBRUARY 16, 1837.

The Senate met pursuant to adjournment.

Mr. Wager presented the memorial of sundry inhabitants of Oswego county, praying for the enlargement of the Oswego canal to the dimensions proposed for the Erie canal, and that it be completed simultaneously with that of the eastern section of the Erie canal from Albany to Syracuse; which was read, and referred to the committee on canals.

Mr. Wager presented the petition of sundry inhabitants of Oneida county, praying for the passage of the bill authorizing the rebuilding of the jails in said county; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Mack, from the committee on rail-roads, reported without amendment, the bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Buffalo and Niagara Falls Rail-Road Company,' passed May 3, 1834;" which was committed to a committee of the whole.

Mr. McLean, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act authorizing the sale of certain buildings in the village of Johnstown, heretofore known as the court-house, jail and clerk's office of the county of Montgomery, and for other purposes;" which was committed to a committee of the whole.

Mr. Edwards, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act to confirm the official acts of Hugh Halsey, a master in chancery;" which was agreed to by the Senate, the amendments ordered to be engrossed, and

the bill to a third reading.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

In compliance with the request of the Governor of the State of Vermont, I transmit herewith resolutions passed by the Legislature of that State.

W. L. MARCY.

Albany, February 15, 1837.

[See Senate Document No. 33.]

Ordered, That the same be referred to a select committee, consisting

of Mr. Armstrong, Mr. Hunter and Mr. Willes.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act for the more convenient adjustment of the affairs of certain insurance companies in the city of New-York, rendered insolvent by the late fire in that city,' passed January 18, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Young Men's Association for the city of Buffalo;" which was read the first time, and by unanimous consent was also read

a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the city of Troy, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

The bill entitled "An act authorizing a loan for finishing the Chenango canal," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the

same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

A report from the Comptroller, in pursuance of a resolution of the Senate directing him to report the several sums of money and other property heretofore appropriated and advanced by the State, to the se-

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veral colleges and academies within this State, (excepting the annual distributions from the literature fund,) designating the amount received by each of said institutions, was received and read.

[See Senate Document No. 32.]

Ordered. That the said report be referred to the committee on litera-

Mr. J. P. Jones moved the following resolution:

Resolved, That the committee on literature be instructed to inquire into the expediency of providing by law for the application of the proceeds or income of the literature fund, by the academies to whom it shall be distributed, exclusively to the instruction or education of such common school teachers as will engage to devote mediately after the termination of their instruction, to the teaching of common district schools.

Ordered, That the said resolution be laid on the table.

Ordered, That the bill entitled "An act amending the Revised Statutes, in relation to insurances made on property in this State, against losses by fire in foreign countries, and by individuals and associations unauthorized by law," be engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate the Valatic Fire Company," and that the same be engrossed for a third read-

ing.

The bill from the Assembly, entitled "An act to confirm the official acts of Elijah Phillips, a justice of the peace in and for the county of Oswego," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act to confirm the official acts of Hugh Halsey, a master in chancery," with the engrossed amend-

ments, was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act in relation to the distribution of the income of the literature fund;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maison, from the said committee. reported the same with amendments.

Ordered, That said report be laid on the table.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to incorporate the Albany Exchange Company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maison, from the said committee, reported the same without amendment.

Ordered. That said report be laid on the table.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to amend the act to prohibit the circulation of small bills;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maison, from the said committee, reported the same with an amendment; which was agreed to by the Senate, and the bill ordered to be engreesed for a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK, A. M.—FEBRUARY 17, 1837.

The Senate met pursuant to adjournment.

Mr. Wager presented the petition of sundry inhabitants of Oneida county, praying for the rebuilding of the jails in said county; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Lawyer presented the petition of sundry inhabitants of the city of Troy, to divide the first and sixth wards; which was read, and referred to the committee on the incorporation of cities and villages.

Mr. Edwards, from the committee on the judiciary, to whom was referred the petition of the common council of the city of Albany, brought in a bill, entitled "An act to reduce the width of Lumber-street in the city of Albany;" which was read the first time, and by unanimous consent was also read a second time.

Ordered, That said bill be engrossed for a third reading.

Mr. Young, from the committee on literature, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Young Men's Association for the city of Buffalo;" which was committed to a committee of the whole.

Mr. Mack, from the committee on rail-roads, to whom was referred the petition of sundry inhabitants of the county of Orange, brought in a bill, entitled "An act to provide for the construction of a rail-road from the village of Warwick to the New-York and Erie rail-road;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Armstrong, from the committee on banks and insurance companies, to whom was referred the petition of the president and directors of the Jackson Marine Insurance Company, brought in a bill, entitled "An act to amend an act entitled 'An act to incorporate the Jackson Marine Insurance Company in the city of New-York,' passed April 23, 1831;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and villages, to whom was referred the petition of a fire company in Union village, Washington county, brought in a bill, entitled "An act to incorporate a fire company in Union village, Washington county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and vil-

lages, reported without amendment, the bill from the Assembly, entitled "An act to amend the charter of the Lima Repulse Fire Engine Company;" which was agreed to by the Senate, and the bill ordered to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act in relation to a portion of the Orchard party of Oneida Indians;" which was read the first time, and by unanimous consent was also read

a second time, and referred to the committee on Indian affairs.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the resurvey of certain roads in the town of Aurora, Erie county;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Ordered, That the committee of the whole be discharged from the further consideration of three several bills, of the following titles, to wit:

"An act to amend the act entitled 'An act for the relief of Warren W. Case, passed May 3, 1836:"

"An act incorporating the Fayetteville Academy:"

"An act to incorporate the Franklindale Fire Company in Dutchess county:"

And that the said bills be engrossed for a third reading.

The Senate then took up the consideration of the report of the committee of the whole on the bill from the Assembly, entitled "An act to incorporate the Albany Exchange Company;" and after amending the same agreed to it.

Ordered, That the said amendments be engrossed, and the bill to a

third reading.

The Senate then took up the consideration of the report of the committee of the whole, on the bill entitled "An act in relation to the distribution of the income of the literature fund;" which was again read in the words following, to wit:

An Act in relation to the distribution of the income of the Literature Fund.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

§ 1. No academy shall hereafter be allowed to participate in the annual distribution of the income of the literature fund, until the regents of the university shall be satisfied that a proper building is erected and finished, and paid for; that the sum of three thousand five hundred dollars is raised for the use of such academy; and that so much of said sum as shall not have been expended in the erection of such building and the purchase of a proper lot for the same, or in philosophical apparatus and library, is invested in real estate, or bonds and mortgages yielding an annual interest of seven per cent, or in public stocks on which the annual dividends shall not be less than seven per cent on a sum equal to the difference between three thousand five hundred dollars and the cost of the lot, building, apparatus and library aforesaid.

§ 2. This act shall not affect the distribution of the literature fund

the present year.

· Thereupon,

Mr. Mack moved to amend the said report, by striking out all after the word "that," in the fifth line, and inserting the words following, to wit:

"At least two thousand dollars thereof has been invested on bond and mortgage, at an interest of seven per cent, as a permanent fund for the payment of teachers."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE. .

Mr. Armstrong	Mr. H. F. Jones	Mr. Paige	
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Seger	
Mr. Dickinson	Mr. Lacy	Mr. Van Dyck	
Mr. Downing	Mr. Lawyer	Mr. Wager	
Mr. Edwards	Mr. Loomis	Mr. Willes	
Mr. Hunter	Mr. McLean	Mr. Works -	
Mr. Huntington	Mr. Maison		20
· ·			

FOR THE AFFIRMATIVE.

Mr. J. Beardsley Mr. Johnson	Mr. Spraker Mr. Tallmadge	Mr. Tracy Mr. Young		_
Mr. Mack			•	7

Mr. Johnson moved to amend the said report, by adding a section in the words following, to wit:

§ 3. The regents of the university shall hereafter distribute the literature fund among the several academies entitled to the same, in proportion to the number of students at each academy, who shall have pursued the requisite studies, now required by the regents, to entitle such academy to a portion of said fund.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Spraker
Mr. J. Beardsley	Mr. Lacy	Mr. Tallmadge
Mr. Dickinson	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Works
Mr. Hunter	Mr. Maison	Mr. Young
Mr. Huntington	•	J

FOR THE AFFIRMATIVE.

Mr. L. Beardsley Mr. J. P. Jones Mr. Seger Mr. Beckwith Mr. Lawyer Mr. Wager Mr. Johnson Mr. Paige

The Senate then agreed to the report of the committee of the whole, and the bill was ordered to be engrossed for a third reading.

Mr. Van Dyck, from the committee on engressed bills, reported as correctly engrossed, the bill entitled "An act to incorporate the Valatie Fire Company."

Thereupon,

The said engrossed bill was read the third time and passed; twothirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Seger	
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Spraker	
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Tallmadge	
Mr. Beckwith	Mr. Lacy	Mr. Tracy	
Mr. Dickinson	Mr. Loomis	Mr. Van Dyck	
Mr. Downing	Mr. McLean	Mr. Wager	
Mr. Edwards	Mr. Mack	Mr. Willes	
Mr. Hunter	Mr. Maison	Mr. Works	
Mr. Huntington	Mr. Paige	Mr. Young	27

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, two bills, of the following titles, to wit:

"An act amending the Revised Statutes, in relation to insurances made on property in this State against losses by fire in foreign countries, and by individuals and associations unauthorized by law:"

"An act to amend the act to prohibit the circulation of small bills."

Thereupon.

The said engrossed bill, entitled "An act amending the Revised Statutes, in relation to insurances made on property in this State against losses by fire in foreign countries, and by individuals and associations unauthorized by law," was read the third time and passed.

The said engrossed bill, entitled "An act to amend the act to prohibit the circulation of small bills," was read the third time and passed.

Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to amend the charter of the Lima Repulse Fire Engine Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. H. F. Jones Mr. Seger Mr. J. Beardsley Mr. J. P. Jones Mr. Tallmadge

Mr. L. Beardsley	Mr. Lacy	Mr. Tracy
Mr. Beckwith	Mr. Loomis	Mr. Van Dyck
Mr. Dickinson	Mr. McLean	Mr. Wager
Mr. Downing	Mr. Mack	Mr. Willes
Mr. Edwards	Mr. Maison	Mr. Works
Mr. Hunter	Mr. Paige	Mr. Young
Mr Johnson	8	

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to incorporate the Albany Exchange Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Seger
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Seger Mr. Tallmadge
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Tracy
Mr. Beckwith	Mr. Lacy	Mr. Van Dyck
Mr. Dickinson	Mr. Loomis	Mr. Wager
Mr. Downing	Mr. McLean	Mr. Willes
Mr. Edwards	Mr. Mack	Mr. Works
Mr. Hunter	Mr. Paige	Mr. Young
NE TT	•	0

Mr. Huntington

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to repeal, with certain limitations, title three of chapter four of part second of the Revised Statutes," and two other bills; and after some time spent thereon, Mr. President resumed the chair, and Mr. H. F. Jones, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act relative to unclaimed trunks and baggage;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Dickinson, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

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SATURDAY, 11 O'CLOCK, A. M.—FEBRUARY 18, 1837.

The Senate met pursuant to adjournment.

Mr. Sterling presented the petition of sundry inhabitants of Oswego, for the enlargement of the Oswego canal; which was read, and referred to the committee on canals.

Mr. Hunter presented the petition of sundry inhabitants of Westchester county, praying for the establishment of a race course in Westchester county; which was read, and referred to a select committee,

consisting of Mr. Hunter, Mr. Maison and Mr. Livingston.

Mr. Paige presented the petition of J. A. Verplanck and others, inhabitants of the county of Genesee, in relation to the appropriation of the proceeds of the United States deposite; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Paige presented the petition of John P. Cushman and others of the city of Troy, praying for an alteration of the wards in said city; which was read, and referred to the committee on the incorporation of cities and villages.

Mr. Young presented the petition of the trustees of Galway Academy, to increase the stock to \$2,500; which was read, and referred to

the committee on literature.

Mr. Maison, from the committee on the judiciary, to whom was referred the petition of sundry inhabitants of Albany, Greene and Schoharie counties, praying for a repeal of the thirty-sixth section of part first, title first, article third, chapter eighteenth; and also sections fifty-four and fifty-five, part first, title second, article fourth, chapter eighteenth of the Revised Statutes, relating to turnpike companies, brought in a bill, entitled "An act in relation to the taking of tolls, and of bringing actions for the recovery of penalties or forfeitures by turnpike corporations," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee of the whole.

Mr. Livingston, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to amend the act entitled 'An act for the more convenient adjustment of the affairs of certain insurance companies in the city of New-York, rendered insolvent by the late fire in that city,' passed January 18, 1836;" which

was committed to a committee of the whole.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts," and that the same be engrossed for a third reading.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, five several bills, of the following titles, to wit:

- "An act in relation to the distribution of the income of the literature fund:"
- "An act to incorporate the Franklindale Fire Company in Dutchess county:"

"An act incorporating the Fayetteville Academy:"

"An act to reduce the width of Lumber-street in the city of Albany:"

"An act to amend the act entitled 'An act for the relief of Warren W. Case."

Thereupon,

The said engrossed bill, entitled "An act in relation to the distribution of the income of the literature fund," was read the third time.

Mr. President put the question on the final passage of said bill, and

it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Hunter	Mr. Paige	
Mr. J. Beardsley	Mr. Johnson	Mr. Sterling	
Mr. L. Beardsley	Mr. H. F. Jones	Mr. Tallmadge	
Mr. Beckwith	Mr. Lacy	Mr. Willes	
Mr. Dickinson	Mr. Lawyer	Mr. Works	
Mr. Downing	Mr. Livingston	Mr. Young	
Mr. Edwards	Mr. McLean		20

	FOR THE NEGA	rive.	•
Mr. Huntington Mr. J. P. Jones Mr. Loomis Mr. Mack	Mr. Maison Mr. Seger Mr. Spraker	Mr. Tracy Mr. Van Dyck Mr. Wager	10

The said engrossed bill, entitled "An act to amend the act entitled 'An act for the relief of Warren W. Case,'" was read the third time.

Mr. President put the question on the final passage of the said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Maison	
Mr. J. Beardsley	Mr. Livingston	Mr. Sterling	
Mr. L. Beardsley	Mr. Loomis	Mr. Tallmadge	
Mr. Dickinson	Mr. McLean	Mr. Wager	
Mr. Downing	Mr. Mack	Mr. Works	
Mr. Edwards			16

FOR THE NEGATIVE.

Mr. Beckwith	Mr. Lacy	Mr. Willes	
Mr. Hunter	Mr. Tracy	Mr. Young	
Mr. J. P. Jones	Mr. Van Dyck		8

Ordered, That the clerk deliver the said bills to the Assembly, and request their concurrence to the same.

Then the Senate adjourned until 11 o'clock on Monday morning

next. [SENATE JOURNAL.]

MONDAY, 11 O'CLOCK, A. M.—FEBRUARY 20, 1837.

The Senate met pursuant to adjournment.

Mr. Mack presented the petition of Pratt, Watson & Co. contractors on the Chenango canal, for remuneration on account of certain delays and expenses incurred; which was read, and referred to the committee on canals.

Mr. Willes presented the proceedings of a meeting at Keeseville, and the petition of sundry inhabitants of the counties of Clinton and Essex, relative to the revival of the act to incorporate the Great Au Sable Rail-Road Company; which was read, and referred to the committee on rail-roads.

Mr. Edwards presented the petition of Thomas Rose and others, on the subject of distilling grain; which was read, and referred to the committee on manufactures.

Mr. Powers presented the petition of Ezra Hawley and others, inhabitants of the county of Greene; also the petition of Giles Isham and others, of the county of Ulster, praying for an alteration in the law regulating the powers and duties of inspectors of turnpike roads; which was read, and referred to the committee on roads and bridges.

Mr. Wager presented the petition of sundry inhabitants of the city of New-York, for the incorporation of a floating dry dock company; which was read, and referred to a select committee, consisting of the

senators attending the Senate from the first senate district.

Mr. Wager presented the petition of sundry inhabitants of Herkimer county, praying for the passage of a law to authorize the Utica and Schenectady Rail-Road Company to carry freight; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Willes presented the petition of sundry inhabitants of Oneida county, praying for the amendment of the general turnpike act; which

was read, and referred to the committee on roads and bridges.

Mr. Paige presented the petition of A. Craig and others, inhabitants of the city of Schenectady, praying for an act to incorporate an academy for the education of males, by the name of the Schenectady Lyceum, and also an act to incorporate an academy for the education of females, by the name of the Schenectady Young Ladies' Seminary; which was read, and referred to the committee on literature.

Mr. Tracy presented the petition of sundry citizens of the town of Pendleton, Niagara county, praying legislative interposition for lowering the dam across the mouth of the Tonawanda creek; which was read,

and referred to the committee on canals.

Mr. Seger presented the petition of sundry inhabitants of the county of Oswego, praying for an enlargement of the Oswego canal, simultaneously with the enlargement of the eastern section of the Erie canal; which was read, and referred to the committee on canals.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to con-

firm the resurvey of certain roads in the town of Aurora, Erie county;" which was committed to a committee of the whole.

Mr. Loomis, from the committee on Indian affairs, reported with amendments, the bill from the Assembly, entitled "An act in relation to a portion of the Orchard party of Oneida Indians;" which was agreed to by the Senate, the amendments ordered to be engrossed, and

the bill to a third reading.

Mr. Mack, from the committee on rail-roads, to whom was referred the petition of the Mohawk and Hudson Rail-Road Company, praying for leave to borrow \$100,000, and for other purposes; and the remonstance and petition of John Brown, against the memorial of the Mohawk and Hudson Rail-Road Company, praying for an alteration in their charter, unless his damages, sustained by the acts of the company, are first paid, brought in a bill, entitled "An act relative to the Mohawk and Hudson Rail-Road Company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the said bill be printed.

The bill entitled "An act to incorporate the Albany Exchange Company," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to confirm certain trusts therein mentioned;" which was read the first time, and by unanimous consent was also read a second time, and

referred to the committee on the judiciary.

A report from the Comptroller, in pursuance of a resolution of the Senate, directing him to report the amount of moneys lcaned under the "act authorizing a loan of moneys to the citizens of this State," the amount of loans now outstanding, and the amount supposed to be not collectable, from defects in title or otherwise, was received and read.

[See Senate Document No. 34.]

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to amend the act entitled 'An act to incorporate the North-Hempstead and Flushing Turnpike Road and Bridge Company," and that the same be referred to a select committee, consisting of the senators attending the Senate from the first district, to report complete.

Mr. Tracy moved the following resolution:

Resolved, That the Canal Board be requested to report to the Senate, whether in their opinion it be not for the interest of the State to proceed with the enlargement of the Eric canal, so that the same may be completed sooner than is contemplated by the act in relation to the Eric canal, passed May 11, 1835.

Ordered, That the said resolution be laid on the table.

Mr. Downing asked for, and by unanimous consent obtained leave to

bring in a bill, entitled "An act relative to the court of common pleas of the county of Kings;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Sterling,

Resolved, That the judiciary committee be instructed to inquire into the expediency of authorizing the Governor to appoint one or more commissioners in the states of Ohio and Michigan, to take affidavits to be read in our courts of law and equity, and the acknowledgment of deeds to be recorded in this State, or some other mode to obviate the difficulty which now exists on the subject.

The engrossed bill, entitled "An act incorporating the Fayetteville Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Powers
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Seger
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker
Mr. Beckwith	Mr. Lawyer	Mr. Sterling
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Wager
Mr. Edwards	Mr. McLean	Mr. Willes
Mr. Hunter	Mr. Mack	Mr. Works
Mr. Huntington	Mr. Maison	Mr. Young
Mr. Johnson	Mr. Paige	

The engrossed bill, entitled "An act to incorporate the Franklindale Fire Company in Dutchess county," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Powers
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Seger
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker
Mr. Beckwith	Mr. Lawyer	Mr. Sterling
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Wager
Mr. Edwards	Mr. McLean	Mr. Willes
Mr. Hunter	Mr. Mack	Mr. Works
Mr. Huntington	Mr. Maison	Mr. Young
Mr. Johnson	Mr. Paige	

The engrossed bill, entitled "An act to reduce the width of Lumberstreet in the city of Albany," was read the third time and passed; twothirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker
Mr. Beckwith	Mr. Lawyer	Mr. Sterling
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Wager
Mr. Hunter	Mr. Mack	Mr. Willes
Mr. Huntington	Mr. Maison	Mr. Works
Mr. Johnson	Mr. Paige	Mr. Young
Mr. H. F. Jones	Mr. Powers	

Ordered, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

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The bill from the Assembly, entitled "An act in relation to a portion of the Orchard party of Oneida Indians," with the engrossed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to repeal, with certain limitations, title three of chapter four of part second of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. H. F. Jones, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

TUESDAY, 11 O'CLOCK, A. M.—FEBRUARY 21, 1837.

The Senate met pursuant to adjournment.

Mr. Beckwith presented three several petitions of sundry citizens of Oneida county, praying for an investigation of the conduct of the commissioners of the Oneida Bank;" which were read, and referred to the select committee heretofore appointed on that subject.

Mr. Loomis presented the petition of the proprietors of the Avon bridge, for a renewal and extension of their charter; which was read,

and referred to the committee on reads and bridges.

Mr. Willes presented the petition of inabitants of the town of Schoharie, in the county of Schoharie, in relation to turnpike gates; which

was read, and referred to the committee on roads and bridges.

Mr. Wager presented the petition from sundry inhabitants of Oneida county, praying for an act to authorize the Utica and Schenectady Rail-Road Company to carry freight; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act to confirm certain trusts therein mentioned;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Young, from the committee on literature, to whom was referred the petition of A. Craig and others, inhabitants of the city of Schenec-

tady, brought in two several bills, of the following titles, to wit:

"An act to incorporate the Schenectady Young Ladies' Seminary:"

"An act to incorporate the Schenectady Lyceum and Academy:"

Which were read the first time, and by unanimous consent were also read a second time, and committed to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, to whom was referred two several petitions of inhabitants of Oppenheim and Minden, and a remonstrance of sundry inhabitants of Oppenheim, brought in a bill, entitled "An act to incorporate the St. Johnsville Bridge Company, in the county of Montgomery;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Hunter, from the select committee to which was referred the petition of sundry inhabitants of Westchester county, praying for a race course in said county, brought in a bill, entitled "An act to amend an act entitled 'An act to prevent horse racing;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the village of Port-Byron, in the county of Cayuga;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Peter Van Alstyne;" which was read the first time, and by unanimous consent was also read a second time, and referred to

the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the Hudson and Berkshire Rail-Road Company,' passed April 26, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on rail-roads.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Jacob Westlake and John M'Connel;" which was read the first time, and by unanimous consent was also read a second

time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the supervisors of the county of Monroe, to raise money to build a bridge over the Genesee river, on Buffalo-street in the city of Rochester;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the eighth senate district.

The bill entitled "An act amending the Revised Statutes, in relation to insurances made on property in this State against losses by fire in

foreign countries, and by individuals and associations unauthorized by law," was received from the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

Two several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles,

to wit:

"An act to confirm the official acts of Elijah Phillips, a justice of the peace in and for the county of Oswego."

"An act to confirm the official acts of Hugh Halsey, a master in

chancery:"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

A communication was received from A. Keyser, and read in the words following, to wit:

Albany, February 20, 1837.

SIR,

I have received the resolutions of both houses of the Legislature, reappointing me to the office of Treasurer of this State, and I take the liberty, through you, to communicate to the Senate my acceptance of the office, with my grateful acknowledgments for this renewed testimony of their confidence.

I am, sir, most respetfully, Your obedient servant,

A. KEYSER.

Hon. John Tracy,

President of the Senate.

Mr. Tracy asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act authorizing a loan of money to the city of Buffalo;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Ordered, That the committee on canals be discharged from the further consideration of the petition of Pratt, Watson & Co. contractors on the Chenango canal, praying for remuneration on account of certain delays and expenses incurred, and that the same be referred to the Canal Board.

Mr. Paige asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to amend an act entitled 'An act to provide for the draining of the great swamp in the town of Cicero, in the county of Onodaga,' passed January 21, 1836;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

On motion of Mr. Tracy,

Resolved, That the Canal Board be requested to report to the Senate, whether in their opinion it be not for the interest of the State to proceed with the enlargement of the Erie canal, so that the same may be completed sooner than is contemplated by the act in relation to the Erie

canal, passed May 11, 1835; and that they also report, whether from the surveys, examinations and estimates now possessed, they believe said enlargement can be completed at the cost heretofore estimated, and if not, at what additional cost, including damages to individuals: and also how long the navigation of said canal will be interrupted by said enlargement, and what amount of tolls will be thereby lost to the State during the time said work is in prosecution.

Mr. Livingston asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to amend the law relating to limited partnership;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the

whole.

The bill from the Assembly, entitled "An act to confirm certain trusts therein mentioned," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to repeal, with certain limitations, title three of chapter four of part second of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. H. F. Jones, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning,

WEDNESDAY, 11 O'CLOCK, A. M.—FEBRUARY 22, 1837.

The Senate met pursuant to adjournment.

Mr. Lacy presented the petition of sundry inhabitants of the county of Genesee, praying for a bank, to be located at the village of Le Roy; which was read, and referred to the committee on banks and insurance companies.

Mr. Mack presented the petition of sundry citizens of Chemung, for a rail-road from the village of Ithaca to the Pennsylvania line, down the valley of Wynkoop creek; which was read, and referred to the committee on rail-roads.

Mr. Powers presented two several petitions from Ephraim Isham and others, inhabitants of the county of Delaware, and Stephen Kellogg, jr. and others, inhabitants of the county of Ulster, praying for a law authorizing the construction of a rail-road from the Hudson river at Malden. in the county of Ulster, to or near the junction of the Smith, Bushkill and Esopus-kill, in the county of Ulster; which were read, and referred to the committee on rail-roads.

Mr. Van Dyck presented the petition of sundry inhabitants of Orange

county, for the incorporation of a mutual insurance company; which was read, and referred to the committee on banks and insurance com-

panies.

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of Allen W. Hardie and others, brought in a bill, entitled "An act to establish a ferry between Verplanck's point and Grassy point;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Beckwith, from the committee on the division of towns and counties, to whom was referred the petition of sundry inhabitants of Oneida and Madison counties, and other petitioners, brought in a bill, entitled "An act for the erection of the town of Oneida;" which was read the first time, and by unanimous consent was also read a second time, and

committed to a committee of the whole.

Mr. Edwards, from the committee on the judiciary, in pursuance of a resolution instructing them to inquire into the expediency of authorizing the Governor to appoint one or more commissioners in the states of Ohio and Michigan to take affidavits to be read in our courts of law and equity, and the acknowledgment of deeds to be recorded in this State, or some other mode to obviate the difficulty which now exists on the subject, brought in a bill, entitled "An act to amend chapter third, part second, title fifth of the Revised Statutes, relative to the proof and recording of conveyances of real estate, and the cancelling of mortgages;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A message from his excellency the Governor, delivered by his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act amending the Revised Statutes in relation to insurances made on property in this State against losses by fire in foreign countries, and by individuals and associations unauthorized by law."

W. L. MARCY.

Albany, February 21, 1837.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to repeal, with certain limitations, title three of chapter four of part second of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. H. F. Jones, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

[Senate Journal.]

THURSDAY, 11 O'CLOCK, A. M.—FEBRUARY 23, 1837.

The Senate met pursuant to adjournment.

Mr. Downing presented the petition of John I. Palmer, of the city of New-York, to confirm his title to certain land in St. Lawrence county, derived through an alien; which was read, and referred to the committee on the judiciary.

Mr. Edwards presented the petition of sundry inhabitants of the town of Cicero, in the county of Onondaga, for a law authorizing the Canal Commissioners to construct a towing path along the Oneida river; which was read, and referred to the committee on canals.

Mr. Edwards presented the petition of Oliver Teal and others, relative to distilling grain; which was read, and referred to the committee

on manufactures.

Mr. Maison presented the memorial of a number of stockholders of the stock of the Hudson and Berkshire Rail-Road Company, praying an amendment to the bill which has passed the Assembly; which was read, and referred to the committee on rail-roads.

Mr. Van Dyck presented the remonstrance of John C. Hogeboom, against the increase of the capital of the Hudson and Berkshire Rail-Road Company; which was read, and referred to the committee on

rail-roads.

Mr. Paige presented the petition of the trustees of the Claverack Academy, praying for a distributive share of the literature fund; which

was read, and referred to the committee on literature.

Mr. Paige presented the petition of 378 inhabitants of the county of Columbia, praying for a bank, to be located in the city of Hudson; which was read, and referred to the committee on banks and insurance companies.

Mr. Maison presented the petition of the trustees of the village of Poughkeepsie, praying for an act authorizing the appointment of a weigher for the village of Poughkeepsie; which was read, and referred to a select committee, consisting of the senators attending the Senate

from the second senate district.

Mr. Mack, from the committee on rail-roads, reported without expressing any opinion thereon, the bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the Hudson and Berkshire Rail-Road Company,' passed April 26, 1836;" which was com-

mitted to a committee of the whole.

Mr. Mack, from the committee on rail-roads, to whom was referred the petition of Stephen Kellogg junior and others, inhabitants of the county of Ulster, and Ephraim Isham and others, inhabitants of the county of Delaware, brought in a bill, entitled "An act for the construction of a rail-road from the village of Malden to Smithbush-kill in the town of Shandaken, in the county of Ulster;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Mack, from the committee on rail-roads, to whom was referred the petition of sundry inhabitants of the town of Chemung, praying for an act authorizing the construction of a rail-road from the termination of the Pennsylvania North Branch canal, to the Cayuga lake at Ithaca, brought in a bill, entitled "An act to incorporate the Chemung and Ithaca Rail-Road Company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and villages, reported without expressing any opinion thereon, the bill from the Assembly, entitled "An act to incorporate the village of Port-Byron, in the county of Cayuga;" which was committed to a committee of the whole.

Mr. Tracy, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act authorizing the supervisors of the county of Monroe, to raise money to build a bridge over the Genesee river, on Buffalo-street in the city of Rochester;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

The bill entitled "An act in relation to a portion of the Orchard party of Oneida Indians," was received from the Assembly, with a message informing that they had concurred in the amendments of the Se-

nate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

Ordered, That the committee of the whole be discharged from the

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to amend an act entitled 'An act to annex parts of the towns of Richland and New-Haven to the town of Mexico, in the county of Oswego,' passed May 9, 1836," and that the same be ordered to a third reading.

Mr. Armstrong asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to amend the act entitled 'An act to provide for the draining of the Beaverdam swamp, in the town of Junius, in the county of Seneca, and for other purposes,' passed March 31, 1825;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to annex parts of the towns of Richland and New-Haven to the town of Mexico, in the county of Oswego,' passed May 9, 1836," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act authorizing the supervisors of the county of Monroe, to raise money to build a bridge over the Genesee river, on Buffalo-street in the city of Rochester," with the engreesed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amend-

ments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to repeal, with certain limitations, title three of chapter four of part second of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. H. F. Jones, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK, A. M.—FEBRUARY 24, 1837.

The Senate met pursuant to adjournment.

Mr. Mack presented the petition of sundry citizens of Chemung, for a rail-road from the termination of the Pennsylvania North Branch canal to Ithaca; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Paige presented the petition of the mayor, recorder and aldermen of the city of Schenectady, praying for a division of said city into four wards; which was read, and referred to the committee on the incorpo-

ration of cities and villages.

Mr. Wager presented the petition of sundry inhabitants of Oneida county, for the rebuilding of the jails in said county; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. L. Beardsley, from the committee on finance, reported without amendment, the bill entitled "An act authorizing a loan of money to the city of Buffalo;" which was agreed to by the Senate, and the bill

ordered to be engrossed for a third reading.

Mr. Armstrong, from the committee on banks and insurance companies, to whom was referred the petition of sundry inhabitants of Orange county, brought in a bill, entitled "An act to incorporate the Orange County Mutual Insurance Company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Mack, from the committee on rail-roads, to whom was referred the petition of sundry inhabitants of the county of Orange, for the incorporation of a company with a capital of \$150,000, to construct a rail-road from the village of Goshen to the New-Jersey line, with certain other privileges therein enumerated;" which was read the first time, and by unanimous consent was also read a second time, and com-

mitted to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and villages, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the city of Troy, and for other purposes;" which was committed to a committee of the whole.

Mr. H. F. Jones, from the select committee to which was referred the

bill, entitled "An act to amend the act entitled 'An act to incorporate the North-Hempstead and Flushing Turnpike Road and Bridge Company," reported the same with amendments; which was agreed to by the Senate, and the bill ordered to be engreed for a third reading.

Mr. Maison, from the select committee to which was referred the petition of the trustees of the village of Poughkeepsie, brought in a bill, entitled "An act to authorize the appointment of measurers of grain in the counties of Dutchess and Orange;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

Mr. Beckwith, from the select committee to which was referred eleven several petitions of sundry inhabitants of Oneida county, praying for an investigation of the conduct of the commissioners of the Oneida Bank, made a report thereon, and offered the following resolution:

Resolved, That the select committee to which was referred the memorials of sundry inhabitants of the county of Oneida, praying for an investigation into the conduct of the commissioners for the distribution of the stock of the Oneida Bank, and for a repeal of its charter, be discharged from the further consideration thereof, and that the same be referred to the Attorney General; and that the Attorney-General is hereby directed to take the requisite measures for filing an information in the nature of a quo warranto, in the supreme court, against said corporation, upon his own relation.

Ordered, That said report and resolution be laid on the table.

[See Senate Document No. 35.]

Mr. Van Dyck, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled "An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts."

A bill was received from the Assembly for concurrence, entitled "An act to loan money to the county of Genesee;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act to divide the town of Napoli, in the county of Cattaragus;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

Two several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act to reduce the width of Lumber-street, in the fifth ward of the city of Albany:"

"An act to authorize the executors of John Ireland, deceased, to become purchasers of his real estate:"

Which were presented to his excellency the Governor by the clerk.

The bill entitled "An act authorizing the supervisors of the county of Monroe, to raise money to build a bridge over the Genesee river, on

Buffalo-street in the city of Rochester," was received from the Assembly, with a message informing that they had concurred in the amendment of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

The Canal Board made a report on the bill from the Assembly, entitled "An act for the relief of John A. Ehle and John Spencer, survivors of the late firm of John A. Ehle and company;" which was read.

[See Senate Document No. 36.]

Ordered, That said report be referred to the committee on canals. Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to establish a ferry between Verplanck's point and Grassypoint," and that the same be recommitted to the committee on roads and bridges.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Buffalo and Niagara Falls Rail-Road Company," passed May 3, 1834," and that the

same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to amend the act entitled 'An act to provide for the draining of the Beaverdam swamp, in the town of Junius, in the county of Seneca, and for other purposes,' passed March 31, 1825," and that the same be engreesed for a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK, A. M.—FEBRUARY 25, 1837.

The Senate met pursuant to adjournment.

Mr. Sterling presented the petition of sundry inhabitants of the county of Jefferson, for a law authorizing the appointment of a supreme court commissioner to reside at Sackett's-Harbor; which was read, and referred to the committee on the judiciary.

Mr. Mack presented two several petitions of sundry inhabitants of the towns of Dryden and Groton, to annex a part of the former town to the latter; which were read, and referred to the committee on the divi-

sion of towns and counties,

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of the president, directors and company of the eastern branch of the Schoharie turnpike road, praying for a law authorizing them to abandon their road, except the easternmost five miles; also

a petition of the president and directors of the eastern branch of the Schoharie turnpike road, praying for a law to extend the time for repairing five miles of their road; also a remonstrance, brought in a bill, entitled "An act to amend the charter of the eastern branch of the Schoharie Turnpike Road Company;" which was read the first time, and by unanimous consent was also read a second time, and commit-

ted to a committee of the whole.

Mr. Powers, from the committee on banks and insurance companies, in pursuance of a resolution instructing them to inquire what further legislation is necessary to correct the defects in the Safety fund system; and secure to the people of this State, a safe and sound and uniform currency, and that they be particularly instructed to inquire into the expediency of restricting the Safety fund banks to the receipt of six per cent interest upon their loans, and of requiring them to receive in payment and deposite each others' bills at par, or in some other way equalizing the value of their paper throughout the State; that they also be instructed to inquire into the expediency of enlarging the Safety fund, and of curtailing the circulation of said banks, and that they have leave to report by bill or otherwise, made a report thereon, which was read.

[See Senate Document No. 38.]

Ordered, That ten times the usual number of the said report be

printed.

Mr. Powers, from the committee on banks and insurance companies, reported with amendments, the bill entitled "An act to improve the currency of the State, by rendering bank notes of uniform par value, and for other purposes;" which was committed to a committee of the whole.

Mr. L. Beardsley, from the committee on the judiciary, to whom was referred the report of the Commissioners of the Land-Office, brought in a bill, entitled "An act for the relief of the relatives of John Higgin-botham, deceased;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. L. Beardsley, from the committee on the judiciary, reported against the bill from the Assembly, entitled "An act for the relief of Peter Van Alstyne;" which was committed to a committee of the whole.

Mr. L. Beardsley, from the committee on finance, reported without mendment, the bill from the Assembly, entitled "An act to loan money to the county of Genesee;" which was committed to a committee of the whole.

A report was received from the commissioners appointed to locate the New-York State Lunatic Asylum, and read.

[See Senate Document No. 39.]

Mr. Beckwith moved to withdraw the report yesterday made in reference to the Oneida Bank and the resolution then offered, and also moved the following resolution:

Resolved, That two members be added to the select committee to

whom was referred the petitions of sundry persons of the county of Oneida, praying an investigation into the manner in which the stock of the Oneida Bank was distributed, and that said committee, or any three of them, be authorized to proceed to Utica to take testimony in the matter.

Mr. Mack moved to lay the said motion and resolution on the table. Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. J. Beardsley	Mr. Loomis	Mr. Sterling	
Mr. Beckwith	Mr. McLean	Mr. Tracy	
Mr. Edwards	Mr. Maison	Mr. Van Dyck	
Mr. Fox	Mr. Paige	Mr. Willes	
Mr. Hunter	Mr. Powers	Mr. Works	
Mr. H. F. Jones	Mr. Spraker	Mr. Young	18

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Mack	
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Tallmadge	
Mr. Dickinson		3	7

A division of Mr. Beckwith's motion having been demanded,

Mr. President put the question on the motion to withdraw the said report and resolution, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Spraker
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Sterling
Mr. L. Beardsley	Mr. Loomis	Mr. Tallmadge
Mr. Beckwith	Mr. McLean	Mr. Tracy
Mr. Dickinson	Mr. Mack	Mr. Van Dyck
Mr. Edwards	Mr. Maison	Mr. Willes
Mr. Fox .	Mr. Paige	Mr. Works
Mr. Hunter	Mr. Powers	Mr. Young
Mr. Johnson		

Thereupon, The said resolution moved by Mr. Beckwith was agreed to.

Ordered, That Mr. Hunter and Mr. McLean be added to the committee.

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Mr. Willes asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to prevent fraudulent sales and assignments of personal property;" which was read the first time, and by

unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, 'That the said bill be printed.

Mr. Van Dyck, from the committee on engrossed bills, reported as correctly engrossed, four several bills, of the following titles, to wit:

"An act to amend the act entitled 'An act to provide for the draining of the Beaverdam swamp, in the town of Junius, in the county of Seneca, and for other purposes,' passed March 31, 1825:"

"An act authorizing a loan of money to the city of Buffalo:"

"An act to authorize the appointment of measurers of grain in the

counties of Dutchess and Orange:"

"An act to amend the act entitled 'An act to incorporate the North-Hempstead and Flushing Turnpike Road and Bridge Company,' passed May 4, 1835, and the act amending the same, passed May 25, 1836."

Thereupon,

The said engrossed bill, entitled "An act to amend the act entitled 'An act to provide for the draining of the Beaverdam swamp, in the town of Junius, in the county of Seneca, and for other purposes,' passed March 31, 1825," was read the third time and passed.

The said engressed bill, entitled "An act authorizing a loan of mo-

ney to the city of Buffalo," was read third time and passed.

The said engrossed bill, entitled "An act to authorize the appointment of measurers of grain in the counties of Dutchess and Orange,"

was read the third time and passed.

The said engrossed bill, entitled "An act to amend the act entitled 'An act to incorporate the North-Hempstead and Flushing Turnpike Road and Bridge Company,' passed May 4, 1835, and the act amending the same, passed May 25, 1836," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Sterling	
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Tallmadge	
Mr. Beckwith	Mr. Loomis	Mr. Tracy	
Mr. Dickinson	Mr. McLean	Mr. Van Dyck	
Mr. Edwards	Mr. Mack	Mr. Wager	
Mr. Fox	Mr. Maison	Mr. Willes	
Mr. Hunter	Mr. Paige	Mr. Works	
Mr. Johnson	Mr. Powers	Mr. Young	3

Ordered, That the clerk deliver the said bills to the Assembly, and

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request their concurrence to the same.

The bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Buffalo and Niagara Falls Rail-Road Company,' passed May 3, 1834," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Sterling	
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Tallmadge	
Mr. Beckwith	Mr. Loomis	Mr. Tracy	
Mr. Dickinson	Mr. McLean	Mr. Van Dyck	
Mr. Edwards	Mr. Mack	Mr. Wager	
Mr. Fox	Mr. Maison	Mr. Willes	
Mr. Hunter	Mr. Paige	Mr. Works	
Mr. Johnson	Mr. Powers	Mr. Young	24

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the official acts of John Becker, a justice of the peace in the county of Oswego;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to loan money to the county of Chemung;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Lewis County Mutual Insurance Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Then the Senate adjourned until 11 o'clock on Monday morning next.

MONDAY, 11 O'CLOCK, A. M.—FEBRUARY 27, 1837.

The Senate met pursuant to adjournment.

Mr. Sterling presented the petition of sundry inhabitants of Oswego county, praying for the enlargement of the Oswego canal; which was read, and referred to the committee on canals.

Mr. Loomis presented the petition of sundry inhabitants of the counties of Yates and Steuben, praying for the incorporation of a woollen and cotton manufacturing company at Penn-Yan, in the county of Yates; which was read, and referred to the committee on manufactures.

Mr. Edwards, from the committees on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act to confirm

the official acts of John Becker, a justice of the peace in the county of Oswego; which was agreed to by the Senate, the amendments order-

ed to be engrossed, and the bill to a third reading.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Lewis County Mutual Insurance Company;" which was agreed to by the Senate, and the bill ordered to a third reading.

A message from his excellency the Governor, delivered by his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

Gentlemen-

I have this day approved and signed the bill, entitled "An act to authorize the executors of John Ireland, deceased, to become purchasers of his real estate."

Also the bill, entitled "An act to reduce the width of Lumber-street,

in the fifth ward of the city of Albany."

W. L. MARCY.

Albany, February 25, 1837.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to amend the act entitled 'An act for the more convenient adjustment of the affairs of certain insurance companies in the city of New-York, rendered insolvent by the late fire in that city,' passed January 18, 1836," and that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act for the relief of Samuel Reach" and that the same he engaged for a third mading

rab Roach," and that the same be engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to loan money to the county of Genesee," and that the same be order-

ed to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to provide for the construction of a rail-road from the village of Hempstead to Bedell's creek, in the town of Hempstead, county of Queens," and that the same be referred to a select committee, consisting of the senators attending the Senate from the first senate district, to report complete.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate the St. Johnsville Bridge Company, in the county of Montgomery," and that

the same be engrossed for a third reading.

The engrossed bill, entitled "An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts," was read the third time and passed.

Ordered, That the clerk deliver said bill to the Assembly, and request

their concurrence to the same.

The bill from the Assembly, entitled "An act to confirm the official acts of John Becker, a justice of the peace in the county of Oswego," with the engrossed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amend-

ments therewith delivered.

The bill from the Assembly, entitled "An act to incorporate the Lewis County Mutual Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Spraker
Mr. J. Beardsley	Mr. Livingston	Mr. Sterling
Mr. L. Beardsley	Mr. Loomis	Mr. Tallmadge
Mr. Beckwith	Mr. McLean	Mr. Tracy
Mr. Dickinson	Mr. Mack	Mr. Van Dyck
Mr. Edwards	Mr. Maison	Mr. Willes
Mr. Hunter	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Powers	Mr. Young
Mr. H. F. Jones	Mr. Seger	

The bill from the Assembly, entitled "An act to amend the act entitled 'An act for the more convenient adjustment of the affairs of certain insurance companies in the city of New-York, rendered insolvent by the late fire in that city,' passed January 18, 1836," was read the

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third time and passed.

The bill from the Assembly, entitled "An act to loan money to the

county of Genesee," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Paige moved to lay the unfinished business and special orders on the table, for the purpose of taking up the consideration of the bill entitled "An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New-York for safe keeping."

Mr. President put the question on agreeing to said motion, and it was

decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Dickinson	Mr. Livingston	Mr. Powers	
Mr. Edwards	Mr. Loomis	Mr. Seger	
Mr. Johnson	Mr. Mack	Mr. Spraker	
Mr. H. F. Jones	Mr. Maison	Mr. Sterling	12
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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. McLean	Mr. Willes
Mr. J. Beardsley	Mr. Paige	Mr. Works
Mr. L. Beardsley	Mr. Tracy	Mr. Young
Mr. J. P. Jones	Mr. Van Dyck	ζ,

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to repeal, with certain limitations, title three of chapter four of part second of the Revised Statutes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. H. F. Jones, from the said committee, reported that the committee had reject-

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ed the first section of the said bill.

Thereupon,

The said section was again read, as follows, to wit:

§ 1. Title third of chapter four of part second of the Revised Statutes, entitled "Of the interest of money," is hereby repealed, except in the following cases:

1. The said title shall continue in full force in respect to all corpora-

tions now existing or hereafter to be created in this state.

2. The said title shall also continue in force with respect to every contract, account, judgment, or other liability whatever, upon which interest is or shall be recoverable by the laws of this state, where the parties to such contract, account, judgment or other liability shall have made no agreement fixing the rate of interest.

Mr. President put the question on agreeing to the said report of the committee, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Seger
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Sterling
Mr. L. Beardsley	Mr. Loomis	Mr. Tallmadge
Mr. Dickinson	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Fox	Mr. Maison	Mr. Willes
Mr. Hunter	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Powers	

FOR THE NEGATIVE.

Mr.	Livingston	Mr. Young	2
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The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to amend title third of chapter four of the second part of the Revised Statutes, entitled 'Of the interest of money;'" and after some time spent thereon, Mr. President resumed the chair, and Mr. H. F. Jones, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

TUESDAY, 11 O'CLOCK, A. M.—FEBRUARY 28, 1837.

The Senate met pursuant to adjournment.

Mr. Hunter presented the petition of sundry inhabitants of Westchester, and the trustees of the Bedford Academy, that they and other academies, having the necessary buildings, &c. free of incumbrance, as recommended by the Governor's message, be subjected to the visitation of the board of regents, and made to participate in the literature fund; which was read, and referred to the committee on literature.

Mr. Tallmadge presented the memorial of a meeting, representing the yearly meeting of the religious society of Friends, held in the city of New-York, for an extension of the right of the trial by jury to persons claimed as fugitive slaves, within the State of New-York.

Mr. Tallmadge moved to refer the said memorial to the committee

on the judiciary.

Mr. President put the question on agreeing to the said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. J. Beardsley	Mr. J. P. Jones	Mr. Maison	
Mr. L. Beardsley	Mr. Livingston	Mr. Paige	
Mr. Dickinson	Mr. Loomis	Mr. Powers	
Mr. Hunter	Mr. McLean	Mr. Se ger	15
Mr. Johnson	Mr. Mack	Mr. Spra ker	

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Sterling	Mr. Van Dyck	
Mr. Downing	Mr. Tallmadge	Mr. Works	
Mr. H. F. Jones	Mr. Tracy	Mr. Young	9

Mr. Maison then moved the following resolution:

Resolved, That legislation upon the subject of the said memorial is unnecessary and inexpedient, and that the petitioners, therefore, have leave to withdraw their memorial.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. J. Beardaley	Mr. J. P. Jones	Mr. Paige	
Mr. L. Beardeley	Mr. Livingston	Mr. Powers	
Mr. Dickinson	Mr. Loomis	Mr. Seger	
Mr. Hunter	Mr. McLean	Mr. Spraker	
Mr. Johnson	Mr. Mack	Mr. Sterling	
Mr. H. F. Jones	Mr. Maison	Mr. Willes	18

FOR THE NEGATIVE.

Mr. Armstrong Mr. Downing Mr. Tallmadge	Mr. Tracy Mr. Van Dyck	•	Mr. Works Mr. Young	7
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Mr. Downing presented the memorial of sundry inhabitants of Kings county, for the passage of an act for the promotion of justice in said county; which was read, and referred to the committee on the judiciary.

Mr. Paige presented the remonstrance of John Brown, against the amendment prayed for by the Mohawk and Hudson Rail-Road Company, without first paying him his damages suffered by the construction of such road; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Paige presented two several petitions of sundry inhabitants of the counties of Schenectady and Montgomery, praying for an amendment of the act to incorporate the Florida and Duanesburgh Turnpike Road Company; which were read, and referred to the committee on roads and bridges.

Mr. L. Beardsley, from the committee on finance, reported with an amendment, the bill from the Assembly, entitled "An act to loan money to the county of Chemung;" which was agreed to by the Senate, the amendment ordered to be engrossed, and the bill to a third reading.

Mr. Maison, from the committee on the judiciary, to whom was referred the petition of sundry inhabitants of Jefferson county, brought in a bill, entitled "An act authorizing the appointment of a supreme court commissioner, to reside in the village of Sackett's-Harbor, in the county of Jefferson;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and villages, to whom was referred the petition of the mayor, recorder and aldermen of the city of Schenectady, brought in a bill, entitled "An act to divide the city of Schenectady into four wards, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

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The annual report of the Brooklyn Savings Bank, was received and read.

[See Senate Document No. 51.]

The bill entitled "An act to confirm the official acts of John Becker, a justice of the peace in the county of Oswego," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to divide the town of Murray, in the county of Orleans;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the raising of money in the town of Le Roy, to build a bridge in said town;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of John Booth, a resident alien;" which was read the first time, and by unanimous consent was also read a second time, and

referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to extend the time for the collection of taxes in the city of Albany;" which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of three several bills, of the following titles, to wit:

"An act to amend the act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2, 1829:"

"An act to amend an act to provide for the construction of the Os-

wego and Utica Rail-Road, passed May 13, 1836:"

"An act to provide for the construction of a rail-road from the village of Malden to Smithbush-kill, in the town of Shandaken, in the county of Ulster:"

And that the same be engrossed for a third reading.

Mr. Livingston moved that the committee of the whole be discharged from the further consideration of the bill, entitled "An act to amend the act entitled 'An act to prevent horse racing,' passed March 19, 1802," and that the same be engrossed for a third reading.

Mr. President put the question on agreeing to said motion, and it was

decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Hunter	Mr. Powers	
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Seger	
Mr. L. Beardsley	Mr. Livingston	Mr. Spraker	
Mr. Dickinson	Mr. Mack	Mr. Sterling	
Mr. Downing	Mr. Maison	Mr. Tallmadge	15

FOR THE NEGATIVE.

Mr. Johnson	Mr. Paige	Mr. Willes	
Mr. Loomis	Mr. Tracy	Mr. Works	
Mr. McLean	Mr. Van Dyck	Mr. Young	9

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the village of Port-Byron, in the county of Cayuga," and that the same be referred to a select committee, consisting of the senators attending the Senate from the seventh senate district.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the Young Men's Association of the city of Buffalo," and that the game he ordered to a third reading

that the same be ordered to a third reading.

The bill from the Assembly, entitled "An act to extend the time for the collection of taxes in the city of Albany," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Then the Senate adjourned until 11 o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M.—MARCH 1, 1837.

The Senate met pursuant to adjournment.

Mr. Edwards, from the committee on the judiciary, to whom was referred the petition of John Barr, William Powers and Peter Wyckoff junior, executors of Thomas Pool, deceased, praying for an act authorizing them to sell the real estate of the said Thomas Pool, deceased, brought in a bill, entitled "An act for the relief of Eliza Powers and others;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Livingston, from the committee on canals, to whom was referred the petition of Henry Thalhimer, for compensation for work done on the Erie canal, made a report on the subject, and offered the following resolution:

[SENATE JOURNAL.]

The annual report of the Brooklyn Savings Bank, was received and read.

[See Senate Document No. 51.]

The bill entitled "An act to confirm the official acts of John Becker, a justice of the peace in the county of Oswego," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to divide the town of Murray, in the county of Orleans;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the raising of money in the town of Le Roy, to build a bridge in said town;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of John Booth, a resident alien;" which was read the first time, and by unanimous consent was also read a second time, and

referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to extend the time for the collection of taxes in the city of Albany;" which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of three several bills, of the following titles, to wit:

"An act to amend the act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2, 1829:"

"An act to amend an act to provide for the construction of the Os-

wego and Utica Rail-Road, passed May 13, 1836:

"An act to provide for the construction of a rail-road from the village of Malden to Smithbush-kill, in the town of Shandaken, in the county of Ulster:"

And that the same be engrossed for a third reading.

Mr. Livingston moved that the committee of the whole be discharged from the further consideration of the bill, entitled "An act to amend the act entitled 'An act to prevent horse racing,' passed March 19, 1802," and that the same be engrossed for a third reading.

Mr. President put the question on agreeing to said motion, and it was

decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Hunter	Mr. Powers	
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Seger	
Mr. L. Beardsley	Mr. Livingston	Mr. Spraker	
Mr. Dickinson	Mr. Mack	Mr. Sterling	
Mr. Downing	Mr. Maison	Mr. Tallmadge	15

FOR THE NEGATIVE.

Mr. Johnson	Mr. Paige	Mr. Willes	
Mr. Loomis	Mr. Tracy	Mr. Works	
Mr. McLean	Mr. Van Dyck	Mr. Young	9

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the village of Port-Byron, in the county of Cayuga," and that the same be referred to a select committee, consisting of the senators attending the Senate from the seventh senate district.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the Young Men's Association of the city of Buffalo," and that the same be ordered to a third reading.

The bill from the Assembly, entitled "An act to extend the time for the collection of taxes in the city of Albany," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Then the Senate adjourned until 11 o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M.—MARCH 1, 1837.

The Senate met pursuant to adjournment.

Mr. Edwards, from the committee on the judiciary, to whom was referred the petition of John Barr, William Powers and Peter Wyckoff junior, executors of Thomas Pool, deceased, praying for an act authorizing them to sell the real estate of the said Thomas Pool, deceased, brought in a bill, entitled "An act for the relief of Eliza Powers and others;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Livingston, from the committee on canals, to whom was referred the petition of Henry Thalhimer, for compensation for work done on the Erie canal, made a report on the subject, and offered the following resolution:

[SENATE JOURNAL.]

Resolved, That the petition of Henry Thalhimer, for extra compensation for work done on the Erie canal, be denied.

Which was agreed to by the Senate.

[See Senate Document No. 44.]

Ordered. That the committee of the whole be discharged from the further consideration of the bill, entitled "An act for extending the time for completing the New-York and Harlaem rail-road," and that the same be engrossed for a third reading.

Mr. Van Dyck, from the committee on engrossed bills, reported as

correctly engrossed, six several bills, of the following titles, to wit:

"An act to amend the act entitled 'An act to prevent horse racing,' passed March 19, 1802:"

"An act for the relief of Sarah Roach:"

"An act to amend the act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2, 1829:"

"An act to incorporate the St. Johnsville Bridge Company:"

"An act to provide for the construction of a rail-road from the village of Malden to Smithbush-kill, in the town of Shandaken, in the county of Ulster:"

"An act to amend an act entitled 'An act to provide for the construction of the Oswego and Utica Rail-Road,' passed May 13, 1836."

Thereupon,

The said engrossed bill, entitled "An act to incorporate the St. Johnsville Bridge Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

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Mr. Armstrong	Mr. Livingston	Mr. Sterling
Mr. L. Beardsley	Mr. Loomis	Mr. Tallmadge
Mr. Dickinson	Mr. Mack	Mr. Tracy
Mr. Downing	Mr. Maison	Mr. Van Dyck
Mr. Edwards	Mr. Paige	Mr. Willes
Mr. Hunter	Mr. Powers	Mr. Works
Mr. Johnson	Mr. Seger	Mr. Young
Mr. J. P. Jones	Mr. Spraker	J

The said engrossed bill, entitled "An act to amend the act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2, 1829," was read the third time and passed.

The said engrossed bill, entitled "An act for the relief of Sarah Roach," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Livingston	Mr. Sterling
Mr. L. Beardsley	Mr. Loomis	Mr. Tallmadge
Mr. Dickinson	Mr. Mack	Mr. Tracy
Mr. Downing	Mr. Maison	Mr. Van Dyck
Mr. Edwards	Mr. Paige	Mr. Willes
Mr. Hunter	Mr. Powers	Mr. Works
Mr. Johnson	Mr. Seger	Mr. Young
Mr. J. P. Jones	Mr. Spraker	J

The said engrossed bill, entitled "An act to amend the act entitled 'An act to prevent horse racing,' passed March 19, 1802," was read the third time.

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Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. Mack	Mr. Seger	
Mr. Dickinson	Mr. Maison	Mr. Spraker	
Mr. Downing	Mr. Paige	Mr. Sterling	
Mr. Hunter	Mr. Powers	Mr. Tallmadge	
Mr. Livingston		9	13

FOR THE NEGATIVE.

Mr. Armstrong Mr. Edwards Mr. Johnson Mr. J. P. Jones	Mr. Loomis Mr. Tracy Mr. Van Dyck	Mr. Willes Mr. Works Mr. Young	10
Inti. J. I. Julies			10

Ordered, That the clerk deliver the said bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to incorporate the Young Men's Association for the city of Buffalo," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Livingston	Mr. Sterling
Mr. L. Beardsley	Mr. Loomis	Mr. Tallmadge
Mr. Dickinson	Mr. Mack	Mr. Tracy
Mr. Downing	Mr. Maison	Mr. Van Dyck
Mr. Edwards	Mr. Paige	Mr. Willes
Mr. Hunter	Mr. Powers	Mr. Works
Mr. Johnson	Mr. Seger	Mr. Young
Mr. J. P. Jones	Mr. Spraker	_

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to loan money to the county of Chemung," with the engrossed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to amend title third, chapter fourth of the second part of the Revised Statutes, entitled 'Of the interest of money;'" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported that the committee had rejected the first section of the said bill; which was read in the words following, to wit:

§ 1. No bill of exchange or promissory note made payable at or within three months after the date thereof, or having no longer than three months to run, shall, by reason of any interest taken or secured to be taken thereon, in making, discounting, negotiating or transferring the same, be void; nor shall any person be subject to any penalty or liability whatever, for taking or securing to be taken, in making, discounting, negotiating or transferring any such bill of exchange or promissory note, more than the rate of interest mentioned in the first section of the title of the act hereby amended.

Mr. President put the question on agreeing to the said report of the committee, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Spraker	
Mr. L. Beardsley	Mr. Mack	Mr. Sterling	
Mr. Dickinson	Mr. Maison	Mr. Tallmadge	
Mr. Downing	Mr. Paige	Mr. Willes	
Mr. Edwards	Mr. Powers	Mr. Works	
Mr. Johnson	Mr. Seger		17

FOR THE NEGATIVE.

Mr. Hunter	Mr. Loomis	Mr. Van Dyck	
Mr. Livingston	Mr. Tracy	Mr. Young	6

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to amend the Revised Statutes, in relation to usury;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress.

Ordered, That said report be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress, and asked for and obtained leave to sit again.

The annual report of the Regents of the University of the State of

New York, was received and read.

[See Senate Document No. 45.]

Ordered, That double the usual number of copies of said report be printed for the use of the legislature, and five hundred copies for the use of the Regents.

Mr. Tracy asked for and obtained leave of absence for Mr. Lacy for

two weeks.

Mr. Dickinson asked for and obtained leave of absence for ten days.

Then the Senate adjourned until 11 o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M.—MARCH 2, 1837.

The Senate met pursuant to adjournment.

Mr. Mack presented the petition of sundry inhabitants of Jefferson, at the head of the Seneca lake, for a rail-road from thence to Elmira; which was read, and referred to the committee on rail-roads.

Mr. Mack presented the proceedings and resolutions of sundry inhabitants of Ithaca in general meeting, in favor of an act to amend the charter of said village; which was read, and referred to the committee

on the incorporation of cities and villages.

Mr. Seger presented the petition of sundry inhabitants of the village of Fulton, in the county of Oswego, praying for an enlargement of the Oswego canal; which was read, and referred to the committee on canals.

Mr. L. Beardsley, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act for the relief of John Booth, a resident alien;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Armstrong, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the village of Pert-Byron, in the county of Cayuga;" which was agreed to by the Senate, and the bill ordered to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to enable the mayor, aldermen and commonalty of the city of New-York, to raise money by tax;" which was read the first time, and by

unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act relative to the commissioners of highways in the towns of Kirkland and Marshall, in the county of Oneida;" which was read the first time, and by unanimous consent was also read a second time, and referred

to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to change the time of holding the courts of common pleas and general sessions in and for the county of Yates,' passed May 9, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to the

committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act authorizing the supervisors of the county of Monroe, to raise money to build a bridge over the Genesee river, on Buffalo-street in the city of Rochester,' passed February 25, 1837;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the eighth senate district.

On motion of Mr. Edwards,

Resolved, That the Canal Commissioners be directed to report to the Senate, the several sums of money agreed to be paid by individuals for changing the direction and termination of the Chenango canal, the amount remaining unpaid, from whom due, and what security they have for the payment of the same; and also what sum of money they have paid the contractors for damages in consequence of changing the termination of the said canal, and whether the same or any part thereof has been refunded to the State.

On motion of Mr. Mack,

Resolved, That the committee on finance report to the Senate, as to the expediency of a law, authorizing the purchase or erection of a

dwelling-house for the residence of the Governor of this State.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act incorporating the Hudson River Agricultural Seminary," and that the same be referred to a select committee, consisting of the senators attending the Senate from the third senate district, to report complete.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act authorizing the appointment of a supreme court commissioner to reside in the village of Sackett's-Harbor, in the county of Jefferson," and that the same be en-

grossed for a third reading.

Mr. Van Dyck, from the committee on engrossed bills, reported as

correctly engrossed, two bills, of the following titles, to wit:

. "An act to divide the city of Schenectady into four wards, and for other purposes:"

"An act to extend the time for completing the New-York and Harlaem rail-road." Thereupon,

The said engrossed bill, entitled "An act to extend the time for completing the New-York and Harlaem rail-road," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Livingston	Mr. Spraker
Mr. L. Beardsley	Mr. Loomis	Mr. Sterling
Mr. Beckwith	Mr. Mack	Mr. Tallmadge
Mr. Downing	Mr. Maison	Mr. Tracy
Mr. Edwards	Mr. Paige	Mr. Van Dyck
Mr. Hunter	Mr. Powers	Mr. Willes .
Mr. Huntington	Mr. Seger	Mr. Works
Mr. Johnson	•	•

FOR THE NEGATIVE.

Mr. Young

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The said engrossed bill, entitled "An act to divide the city of Schenectady into four wards, and for other purposes," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AEFIRMATIVE.

Mr. Armstrong	Mr. Livingston	Mr. Seger
Mr. L. Beardsley	Mr. Loomis	Mr. Spraker
Mr. Beckwith	Mr. McLean	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Edwards	-Mr. Maison	Mr. Willes
Mr. Hunter	Mr. Paige	Mr. Works
Mr. Huntington	Mr. Powers	Mr. Young
Mr. Johnson		J

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Ordered, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act for the relief of John

Booth, a resident alien," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the village of Port-Byron, in the county of Cayuga," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Livingston	Mr. Spraker
Mr. L. Beardsley	Mr. Loomis	Mr. Sterling
Mr. Beckwith	Mr. McLean	Mr. Tracy

Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Edwards	Mr. Maison	Mr. Willes
Mr. Hunter	Mr. Paige	Mr. Works
Mr. Huntington	Mr. Powers	Mr. Young
Mr. Johnson	Mr Seger	• ,

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

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The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK, A. M.—MARCH 3, 1837.

The Senate met pursuant to adjournment.

Mr. McLean presented the petition of sundry inhabitants of Washington county, for a bank in the town of Greenwich, in said county; which was read, and referred to the committee on banks and insurance companies.

Mr. Loomis presented the remonstrance of Ira Merrill and others, inhabitants of the town of Avon, in the county of Livingston, against a renewal of the charter of the Avon Bridge Company; which was read,

and referred to the committee on roads and bridges.

Mr. Tracy presented the remonstrance of sundry citizens of Livingston county, against the extension of the charter of the Avon Bridge Company; which was read, and referred to the committee on roads and bridges.

Mr. Spraker presented sundry affidavits in relation to the application of John A. Ehle & Co.; which were read, and referred to the commit-

tee on canals.

Mr. Beckwith, from the committee on the division of towns and counties, reported without expressing any opinion thereon, the bill from the Assembly, entitled "An act to divide the town of Murray, in the county of Orleans;" which was committed to a committee of the whole.

Mr. Mack, from the committee on rail-roads, to whom was referred the petition of sundry inhabitants of Jefferson, at the head of the Seneca lake, for a rail-road from thence to Elmira;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole. Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act relative to the commissioners of highways in the towns of Kirkland and Marshall, in the county of Oneida;" which was agreed to by the Senate,

and the bill ordered to a third reading.

to a committee of the whole.

Mr. Mack, from the committee on rail-roads, to whom was referred the petition of sundry inhabitants of the counties of Clinton and Essex, praying for a revival of the act to incorporate the Au Sable Rail-Road Company, and the proceedings of a meeting at Keeseville, relative to the same subject, brought in a bill, entitled "An act to incorporate the Great Au Sable Rail-Road Company;" which was read the first time, and by unanimous consent was also read a second time, and committed

Mr. L. Beardsley asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to amend the act entitled 'An act regulating the specific fund of the State,' passed May 9, 1835;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

Mr. Tracy, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act authorizing the supervisors of the county of Monroe, to raise money to build a bridge over the Genesee river, on Buffalo-street in the city of Rochester,' passed February 25, 1837;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Paige, from the select committee to which was referred the bill entitled "An act incorporating the Hudson River Agricultural Seminary," to report complete, reported the same with amendments; which was agreed to by the Senate, and the bill ordered to be engrossed for a

third reading.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to incorporate a fire engine company in the village of Norwich, in the county of Chenango:"

"An act to amend an act entitled 'An act to incorporate the village

of Fulton,' passed April 29, 1835:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the incorporation

of cities and villages.

The bill entitled "An act to loan money to the county of Chemung," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

The bill entitled "An act authorizing a loan of money to the city of Buffalo," was received from the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act amending the act re-

lative to the Bank fund," and that the same be engrossed for a third

reading.

Mr. Paige asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to authorize the Mohawk and Hudson Rail-Road Company to borrow money, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on rail-roads.

Mr. Huntington, from the committee on engrossed bills, reported as

correctly engrossed, two bills, of the following titles, to wit:

"An act for the relief of Eliza Powers and others:"

"An act authorizing the appointment of a supreme court commissioner to reside in the village of Sackett's-Harbor, in the county of Jefferson."

Thereupon,

The said engrossed bill, entitled "An act for the relief of Eliza Powers and others," was read the third time.

Mr. President put the question on the final passage of said bill, and

it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. Livingston	Mr. Spraker
Mr. Beckwith	Mr. McLean	Mr. Sterling
Mr. Downing	Mr. Mack	Mr. Tallmadge
Mr. Edwards	Mr. Maison	Mr. Willes
Mr. Hunter	Mr. Paige	Mr. Works
Mr. Huntington	Mr. Powers	Mr. Young
Mr. J. P. Jones	Mr. Seger	9

FOR THE NEGATIVE.

20

Mr. Johnson	Mr. Loomis	Mr. Tracy	3
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The said engrossed bill, entitled "An act authorizing the appointment of a supreme court commissioner to reside in the village of Sackett's-Harbor, in the county of Jefferson," was read the third time and passed.

Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act authorizing the supervisors of the county of Monroe, to raise money to build a bridge over the Genesee river, on Buffalo-street in the city of Rochester,' passed February 25, 1837," was read the third time and passed.

The bill from the Assembly, entitled "An act relative to the commissioners of highways in the towns of Kirkland and Marshall, in the

county of Oneida," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK, A. M.—MARCH 4, 1837.

The Senate met pursuant to adjournment.

Mr. Wager presented the petition of sundry inhabitants of the city of Utica, praying for the incorporation of the Utica Female Academy; which was read, and referred to the committee on literature.

Ms. Wager presented the petition of sundry inhabitants of Utica, praying for the passage of a law making cities and villages liable for private property destroyed by mobs; which was read, and referred to the committee on the judiciary.

Mr. Mack presented two several petitions of sundry inhabitants about the head of the Seneca lake, and of sundry inhabitants of Elmira, for a rail-road from Jefferson to Elmira; which were read, and referred to the committee of the whole when on the bill on that subject.

Mr. Livingston presented the petition of the supervisors of the county of Richmond, that the location of the new court-house may be decided by a vote of the county; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act to change the time for holding the courts of common pleas and general sessions in and for the county of Yates,' passed May 9, 1836;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Loomis, from the select committee to which was referred the petition of sundry inhabitants of Poughkeepsie, brought in a bill, entitled "An act to incorporate the Poughkeepsie Locomotive Engine Company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to authorize the raising of money in the town of Le Roy, to build a bridge in said town;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Mack, from the committee on rail-roads, reported without amendment, the bill entitled "An act to authorize the Mohawk and Hudson Rail-Road Company to borrow money." Ordered, That the same be laid on the table.

Mr. Livingston, from the committee on canals, to whom was referred the bill from the Assembly, entitled "An act for the relief of John A. Ehle and John Spencer," together with a report of the Canal Board on the same, reported against the same; which was committed to a committee of the whole.

Mr. Livingston, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to enable the mayor, aldermen and commonalty of the city of New-York, to raise money

by tax;" which was committed to a committee of the whole.

Mr. L. Beardsley, from the committee on finance, in pursuance of a resolution of the Senate, brought in a bill, entitled "An act authorizing the purchase or erection of a dewelling-house for the Governor of this State;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

The bill entitled "An act to incorporate the St. Johnsville Bridge Company," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith de-

livered.

Mr. President put the question on agreeing to the said amendments, and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling	
Mr. L. Beardsley	Mr. Livingston	Mr. Tallmadge	
Mr. Beckwith	Mr. Loomis	Mr. Tracy	
Mr. Downing	Mr. McLean	Mr. Van Dyck	
Mr. Edwards	Mr. Mack	Mr. Wager	
Mr. Huntington	Mr. Maison	Mr. Willes	
Mr. Johnson	Mr. Paige	Mr. Works	
Mr. J. P. Jones	Mr. Spraker	Mr. Young	24

Thereupon,

Resolved, That the Senate do concur with the Assembly in their said amendments to the said bill.

Ordered, That the clerk deliver said bill, and a copy of said resolu-

tion to the Assembly.

The bill entitled "An act to extend the time for completing the New-York and Harlaem rail-road," was returned by the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to change the name of the village of Sawpit:"

"An act to amend the act incorporating the village of Geneva, in the county of Ontario:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act authorizing the commandant of the thirteenth regiment of artillery, to constitute and appoint a regimental court-martial, for certain purposes,' passed April 18, 1829;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the militia.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the official acts of Charles A. Floyd, a master in chancery;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiclary.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act confirming the acts of Joseph Boyer, a commissioner of deeds in the town of Le Lay, in the county of Jefferson," and that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act authorizing the appointment of a supreme court commissioner to reside at Dansville, in the county of Livingston," and that the same be engressed for a third

reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to authorize the board of supervisors of Orange county, to raise money by tax on the towns of Goshen and Minisink, to build a bridge across the Walkill at Pellett's island, between said towns," and that the same

be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act authorizing the sale of certain buildings in the village of Johnstown, heretofore known as the court-house, jail and clerk's office of the county of Montgomery, and for other purposes," and that the same be referred to a select committee, consisting of the senators attending the Senate from the fourth senate district.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, three several bills, of the following titles, to wit:

"An act amending the act relative to the Bank fund, passed April 29, 1833:"

"An act to incorporate the Hudson River Agricultural Seminary:"

"An act to amend the act entitled 'An act regulating the specific funds of the State,' passed May 9, 1835."

Thereupon,

The said engrossed bill, entitled "An act to amend the act entitled 'An act regulating the specific funds of the State, passed May 9, 1835,"

was read the third time and passed.

The said engrossed bill, entitled "An act to incorporate the Hudson River Agricultural Seminary," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling	
Mr. L. Beardsley	Mr. Livingston	Mr. Tallmadge	
Mr. Beckwith	Mr. Loomis	Mr. Tracy	
Mr. Downing	Mr. McLean	Mr. Van Dyck	
Mr. Edwards	Mr. Mack	Mr. Wager	
Mr. Huntington	Mr. Maison	Mr. Willes	
Mr. Johnson	Mr. Paige	Mr. Works	
Mr. J. P. Jones	Mr. Spraker	Mr. Young	24

The said engrossed bill, entitled "An act amending the act relative to the Bank fund, passed April 29, 1833," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and

request their concurrence to the same.

The bill from the Assembly, entitled "An act to authorize the board of supervisors of Orange county, to raise money by tax on the towns of Goshen and Minisink, to build a bridge across the Walkill at Pellett's island, between said towns," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to change the time of holding the courts of common pleas and general sessions, in and for the county of Yates,' passed May

9, 1836," was read the third time and passed.

The bill from the Assembly, entitled "An act to authorize the raising of money in the town of Le Roy, to build a bridge in said town," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

A report was received from the Canal Board, on the petition of Pratt, Watson & Co.; which was read.

[See Senate Document No. 47.]

Ordered, That said report be referred to the committee on canals. The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock on Monday morning next.

MONDAY, 11 O'CLOCK, A. M.—MARCH 6, 1837.

The Senate met pursuant to adjournment.

Mr. Loomis presented the remonstrance of sundry inhabitants of Avon, in the county of Livingston, against a renewal of the charter of the Avon Bridge Company; which was read, and referred to the com-

mittee on roads and bridges.

Mr. Willes presented the petition of sundry inhabitants of the village of Ogdensburgh, in the county of St. Lawrence, praying for the passage of a law to make cities, villages and towns liable for damages done by mobs; which was read, and referred to the committee on the judiciary.

Mr. Tracy presented the memorial of members of the bar and other citizens of Chautauque county, praying that the powers of the first judge may be extended to the other judges of said county; which was

read, and referred to the committee on the judiciary.

Mr. Beckwith presented the petition of sundry citizens of Oneida county, in relation to the distribution of the stock of the Oneida Bank; which was read, and referred to the select committee heretofore appointed on that subject.

Mr. Huntington presented the remonstrance of Willard H. Smith, and other inhabitants of Livingston county, against renewing the charter of the Avon Bridge Company; which was read, and referred to the com-

mittee on roads and bridges.

Mr. Van Dyck presented the petition of sundry inhabitants of Orange county, praying for the incorporation of the Goshen and New-Jersey Rail-Road Company; which was read, and referred to the committee

of the whole when on the bill on that subject.

Mr. Maison, from the committee on the militia, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act authorizing the commandant of the thirteenth regiment of artillery, to constitute and appoint a regimental court-martial for certain purposes,' passed April 18, 1829;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Livingston asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to provide for the payment of the deficiencies in the revenue of the Chenango canal;" which was read the first time, and by unanimous consent was also read a second time.

and ordered to be engrossed for a third reading.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act authorizing a loan of money to the city of Buffalo."

W. L. MARCY.

Albany, March 3, 1837.

Mr. Huntington, from the committee on angrossed bills, reported as correctly engrossed, the bill entitled "An act authorizing the appointment of a supreme court commissioner to reside at Dansville, in the county of Livingston."

Thereupon,

The said engrossed bill was read the third time and passed.

Ordered, That the clerk deliver said bill to the Assembly, and request

their concurrence to the same.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act authorizing the commandant of the thirteenth regiment of artillery, to constitute and appoint a regimental court-martial, for certain purposes,' passed April 18, 1829," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow merning.

TUESDAY, 11 O'CLOCK, A. M.—MARCH 7, 1637.

The Senate met pursuant to adjournment.

Mr. Powers presented the remonstrance of John C. Miller and others, inhabitants of the county of Columbia, against the passage of a law to increase the capital stock of the Hudson and Berkshire Rail-Road Company; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Powers presented the petition of the Canajoharie and Catskill Rail-Road Company, and sundry inhabitants of the county of Greene, for a loan of \$400,000 to said company, to enable them to construct a second track; which was read, and referred to the committee on rail-

roads.

Mr. Hunter presented the petition of sundry inhabitants of Westchester, praying for the incorporation of a mutual insurance company, to be located in the village of New-Rochelle; which was read, and referred

to the committee on banks and insurance companies.

Mr. Loomis presented the remonstrance of sundry inhabitants of the county of Livingston, against a renewal of the charter of the Avon Bridge Company; which was read, and referred to the committee on roads and bridges.

Carrier Contract

Mr. Johnson presented the remonstrance of citizens of Schenectady, (accompanied by affidavits,) against the memorial of the Mohawk and Hudson Rail-Road Company, praying for leave to borrow \$100,000;

which was read, and laid on the table.

Mr. Livingston, from the committee on canals, brought in a bill, entitled "An act in relation to the canals;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, 'That the said bill be printed.

Mr. Livingston, from the committee on canals, brought in a bill, entitled "An act relative to the Cayuga and Seneca canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and villages, reported without amendment, the bill from the Assembly, entitled "An act to change the name of the village of Sawpit;" which was

committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and villages, reported with amendments, two several bills from the Assembly, of the following titles, to wit:

"An act to incorporate a fire engine company in the village of Nor-

wich, in the county of Chenango:

"An act to amend an act entitled 'An act to incorporate the village of Fulton,' passed April 29, 1835:"

Which were agreed to by the Senate, the amendments ordered to be

engrossed, and the bills to a third reading.

A report of the Canal Commissioners, in pursuance of a resolution of the Senate, directing them to report the several sums of money agreed to be paid by individuals for changing the direction and termination of the Chenango canal, the amount remaining unpaid, from whom due, and what security they have for the payment of the same; and also what sum of money they have paid the contractors for damages in consequence of changing the termination of the said canal, and whether the same or any part thereof has been refunded to the State, was received and read.

[See Senate Document No. 49.]

Ordered, That said report be laid on the table.

The bill entitled "An act to amend the act entitled 'An act for the relief of Warren W. Case,' passed May 3, 1836," was received from the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

The Assembly examined and returned the bill entitled "An act to incorporate the St. Johnsville Bridge Company;" which was presented

to his excellency the Governor by the clerk.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the United States Insurance Company of the city of New-York;" which was read the first time, and by unanimous consent

was also read a second time, and referred to the committee on banks

and insurance companies.

Mr. Paige, from the joint committee appointed on that subject, brought in a bill, entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee of the whole when on the bill on that subject.

On motion of Mr. Maison,

Resolved, That on and after Monday next, the Senate meet at 10 o'clock in the forenoon.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act to extend the time for completing the New-York and Harlaem rail-road."

W. L. MARCY.

Albany, March 6, 1837.

Ordered, That the bill entitled "An act to improve the currency of this State, by rendering bank notes of uniform par value, and for other purposes," be referred to the committee of the whole, when on the bill entitled "An act to prohibit members of the Legislature from subscribing for, or in any manner becoming interested in any stock of any incorporated bank, on the distribution and sale of said stock, and for other purposes."

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act for the relief of Peter Van Alstyne," and that the same be referred to

the committee on the judiciary.

Mr. Van Dyck, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled "An act to provide for the payment of the deficiencies in the revenue of the Chenango canal."

Thereupon,

The said engrossed bill was read the third time and passed.

Mr. President put the question on the final passage of the engrossed bill, entitled "An act to provide for the construction of a rail-road from the village of Malden to Smithbush-kill, in the town of Shandaken, in the county of Ulster," and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. Lawyer Mr. Spraker Mr. L. Beardsley Mr. Livingston Mr. Sterling

Mr. Beckwith	Mr. McLean	Mr. Tallmadge
Mr. Downing	Mr. Mack	Mr. Tracy
Mr. Edwards	Mr. Maison	Mr. Van Dyck
Mr. Hunter	Mr. Paige	Mr. Wager
Mr. Huntington	Mr. Powers	Mr. Willes
Mr. Johnson	Mr. Seger	Mr. Works
Mr. J. P. Jones	_	

Ordered, That the clerk deliver the said bills to the Assembly, and

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request their concurrence to the same.

The bill from the Assembly, entitled "An act to incorporate a fire engine company in the village of Norwich, in the county of Chenango," with the engrossed amendment, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AEFIRMATIVE.

Mr. Armstrong.	Mr. Livingston	Mr. Spraker	
Mr. L. Beardsley	Mr. Loomis	Mr. Sterling	
Mr. Beckwith	Mr. McLean	Mr. Tallmadge	
Mr. Downing	Mr. Mack	Mr. Tracy	
Mr. Hunter	Mr. Maison	Mr. Van Dyck	
Mr. Huntington	Mr. Paige	Mr. Wager	
Mr. Johnson	Mr. Powers	Mr. Willes	
Mr. Lawyer	Mr. Seger	Mr. Works	24

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendment therewith delivered.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the village of Fulton,' passed April 29, 1835," was read the third time.

Ordered, That the question on the final passage of the said bill be

laid on the table.

The Senate then again resolved itself into a committee of the whole. on the bill entitled "An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New-York for safe keeping;" also upon the bill, entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress on the said bill, entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping," and asked for and obtained leave to sit again thereon; and further reported on the said bill, entitled "An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New-York for safe keeping," that the committee had agreed to the same with amendments.

Thereupon,

Mr. Tracy moved to amend the said report, by striking out the second section of the said bill; which was again read, in the words following, to wit:

§ 2. The governor shall nominate, and with the consent of the senate, shall appoint, two reputable inhabitants, resident in each of the counties of this state, who shall be commissioners for loaning the moneys mentioned in the preceding section, in the several counties for which they shall respectively be appointed, and who shall hold their offices for the term of two years.

For the purpose of inserting the following in lieu thereof:

§ 2. The supervisors, or a majority of them, in the respective counties of this state, shall meet together as soon after the passage of this act as conveniently may be, at the place where they held their last annual meeting in such county, and shall then and there, by a majority of votes, elect two reputable inhabitants of such county, who shall be the commissioners for loaning the moneys apportioned to such county by virtue of the preceding section, and who shall hold their office for two years and until others are appointed, unless for cause shewn they shall be sooner removed by a majority of the supervisors of such county at some regular meeting.

Mr. President put the question on agreeing to the said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. L. Beardsley	Mr. Loomis	Mr. Seger
Mr. Beckwith	Mr. McLean	Mr. Spraker
Mr. Downing	Mr. Mack	Mr. Sterling
Mr. Edwards	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. Johnson	3	

FOR THE AFFIRMATIVE.

19

Mr. Hunter	Mr. Tracy	Mr. Works	
Mr. Tallmadge	.*		4

Mr. Loomis moved to amend the said report, by adding to the fifth section the words following, to wit:

"The boards of supervisors of the several counties in this state, shall determine by resolution, whether such county will receive its proportion of the said moneys, and for such purpose they shall meet in their respective counties, within thirty days after the passage of this act."

Mr. President put the question on agreeing to said motion, and it was

decided in the negative.

The year and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong Mr. L. Beardsley Mr. Downing Mr. Edwards Mr. Huntington Mr. Johnson	Mr. Lawyer Mr. McLean Mr. Mack Mr. Maison Mr. Paige Mr. Powers	Mr. Seger Mr. Sterling Mr. Tallmadge Mr. Tracy Mr. Wager Mr. Works
Mr. J. P. Jones	MII. FOWEIB	mi. AA OLKB

FOR THE AFFIRMATIVE.

Mr. Beckwith Mr. Spraker Mr. Willes
Mr. Loomis Mr. Van Dyck 5

Mr. Loomis moved further to amend said report, by inserting the following as the thirty-first section:

§ 31. Whenever it shall have been ascertained by the commissioners of loans of any county, that a loss of the principal sum, or any part thereof, loaned on the security of lands situated within such county, has arisen, in consequence of defect of title, or other cause, it shall be the duty of the commissioners of loans of the said county, to report such loss to the board of supervisors of such county at their next annual meeting after the fact of such loss having actually occurred shall have been satisfactorily ascertained and determined: And the supervisors shall thereupon cause to be assessed, levied and collected, the amount of such loss, in the same manner as other county charges are levied and collected, and when collected, the same shall be paid over to the commissioners of loans of the said county.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Armstrong Mr. L. Beardsley Mr. Downing Mr. Huntington Mr. Johnson Mr. J. P. Jones	Mr. McLean Mr. Mack Mr. Maison Mr. Paige Mr. Powers Mr. Seger	Mr. Spraker Mr. Sterling Mr. Tallmadge Mr. Tracy Mr. Wager Mr. Works
Mr. J. P. Jones Mr. Lawyer	Mr. Seger	Mr. Works

19

19

POR THE APPIRMATIVE

Mr. Beckwith Mr. Loomis Mr. Willes
Mr. Edwards Mr. Van Dyck 5

Mr. Seger moved to amend the said report, by striking out the fifteenth section, which was again read, in the words following, to wit: •

§ 15. The said commissioners shall, on or before the first Tuesday of November in every year, pay to the treasurer of this state the interest of the moneys committed to their charge respectively, by virtue of this act, at the rate of six and one-half per cent per annum, and the residue of the interest which they may receive from the borrowers, they are authorized to retain in their hands as a compensation for their services.

For the purpose of inserting a section in the words following, to wit:

§ 15. The said commissioners shall, on or before the first Tuesday of November in every year, pay to the treasurer of this state the interest of the money committed to their charge respectively by virtue of this act, at the rate of seven per cent per annum, subject however, to the following deduction: The said commissioners may retain as a compensation for their services out of said interest, in each and every year, after the following rates: upon twenty-five thousand dollars, or a less sum, so committed to their charge, three-quarters of one per cent; upon the further sum of twenty-five thousand dollars, one-half of one per cent; and where the whole sum shall exceed fifty thousand dollars, one-half of one per cent upon fifty thousand, and one-quarter of one per cent for any additional sum.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Beckwith	Mr. Loomis	Mr. Sterling
Mr. Downing	Mr. Mack	Mr. Tallmadge
Mr. Edwards	Mr. Maison	Mr. Tracy
Mr. Huntington	Mr. Paige	Mr. Wager
Mr. J. P. Jones	Mr. Powers	Mr. Willes
Mr. Lawyer	. Mr. Seger	Mr. Works 18

FOR THE NEGATIVE.

Mr. Armstrong Mr. L. Beardsley	Mr. Johnson Mr. McLean	Mr. Spraker

Mr. Loomis moved further to amend said report, by restoring the twentieth section, stricken out in the committee, as follows, to wit:

§ 20. The comptroller is hereby authorized and required to procure, at the expense of the state, such books with blank forms, and such printed mortgages with blanks, as will be necessary under the provisions of this act, and to deliver the same to the said commissioners in the different counties in this state; which expense shall be reimbursed to the state out of the interest to be received on the moneys authorized to be loaned by this act.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Mack	Mr. Sterling
Mr. L. Beardsley	Mr. Maison	Mr. Tallmadge
Mr. Downing	Mr. Paige	Mr. Tracy
Mr. Edwards	Mr. Powers	Mr. Van Dyck
Mr. Huntington	Mr. Seger	Mr. Wager
Mr. J. P. Jones	Mr. Spraker	Mr. Willes
Mr. Lawyer	•	

FOR THE AFFIRMATIVE.

19

Mr. Beckwith	Mr. Loomis	Mr. Works
Mr. Johnson	Mr. McLean	. 5

Mr. Tracy moved to amend said report, by inserting the following as the seventh section:

§ 7. In case the applications for loans in any county exceed the moneys apportioned to such county, it shall be the duty of the commissioners so to distribute the loans as to allow the inhabitants of any town in said county, whose application in amount equals or exceeds a proportion of the moneys apportioned to the county, which the population of the town bears to the population of the county, to receive a proportion of said moneys equal at least to the ratio which the population of the town bears to the whole population of the county.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. L. Beardsley Mr. Downing	Mr. Lawyer Mr. McLean	Mr. Powers Mr. Spraker	
Mr. Huntington	Mr. Mack	Mr. Sterling	
Mr. Johnson	Mr. Maison	Mr. Wager	
Mr. J. P. Jones	Mr. Paige	_	14

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Loomis	Mr. Van Dyck
Mr. Beckwith	Mr. Tallmadge	Mr. Willes
Mr. Edwards	Mr. Tracy	Mr. Works
Mr. Hunter	•	

Mr. Loomis moved to amend said report, by striking out the thirtyninth section; which was read, in the words following, to wit:

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§ 39. If any loss shall happen in the loans of the moneys mentioned in the first section of this act, such loss shall be a charge on the interest which shall be derived from the loans of said moneys, and paid to the treasurer of this state as hereinbefore directed.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Paige	
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Powers	
Mr. Downing	Mr. Lawyer	Mr. Seger	
Mr. Edwards	Mr. McLean	Mr. Sterling	
Mr. Hunter	Mr. Mack	Mr. Tallmadge	
Mr. Huntington	Mr. Maison	Mr. Wager	18

FOR THE AFFIRMATIVE.

Mr. Beckwith	Mr. Tracy	Mr. Willes	
Mr. Loomis	Mr. Van Dyck	Mr, Works	
Mr. Spraker	mi. van Djog	DAT, WOLLD	. 7

Thereupon,

Ordered, That the said report be recommitted to the joint committee who reported the said bill.

Then the Senate adjourned until 11 o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M.—MARCH 8, 1837.

The Senate met pursuant to adjournment.

Mr. Lawyer presented the petition of sundry inhabitants of the counties of Albany and Schoharie, for a loan to the Canajoharie and Catskill Rail-Road Company; which was read, and referred to the committee on rail-roads.

Mr. Johnson presented additional affidavits to the remonstrance of citizens of Schenectady, against the petition of the Mohawk and Hudson Rail-Road Company for leave to borrow \$100,000; which were

read, and laid on the table.

Mr. Mack presented the remonstrance of inhabitants of the town of Dryden, against annexing a part of said town to Groton; which was read, and referred to the committee on the division of towns and counties.

Mr. Maison presented the petition of sundry inhabitants of the counties of Ulster and Dutchess, praying for the passage of a law to incorporate a turnpike company in the county of Ulster; which was read,

and referred to the committee on roads and bridges.

Mr. Downing presented the memorial of the mayor and common council of the city of Brooklyn, praying for sundry amendments to their acts of incorporation; which was read, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act to confirm the official acts of Charles A. Floyd, a master in chancery;" which was

agreed to by the Senate, and the bill ordered to a third reading.

Mr. Young, from the committee on literature, to whom was referred the petition relative to the Galway Academy, brought in a bill, entitled "An act to amend an act to incorporate the Galway Academy, passed May 26, 1836;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill entitled "An act to amend an act entitled 'An act to incorporate the Saratoga and Schenectady Bridge Company,' passed April 2, 1836;" which was committed to a committee of the whole.

Mr. Armstrong, from the committee on banks and insurance companies, to whom was referred the petition of sundry inhabitants of Westchester county, brought in a bill, entitled "An act to incorporate the Westchester County Mutual Insurance Company;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engressed for a third reading.

Mr. L. Beardsley, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act for the relief of Peter Van Alstyne;" which was agreed to by the Senate, the amend-

ments ordered to be engrossed, and the bill to a third reading.

Mr. Loomis, from the select committee to which was referred the petition of sundry inhabitants of the county of Ontario, brought in a bill, entitled "An act to incorporate the Canandaigua Hydraulic Company;" which was committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to repeal an act to provide for a permanent district school in Syracuse;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the seventh senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the Gas-light Company of the city of New-York,' passed March 26, 1823;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the corporation of the city of Troy, to borrow money for the purposes therein mentioned;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to change the name of the village of Sawpit," and that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the Peck-slip and Williamsburgh Ferry Company," and that the same be referred to a select committee, consisting of the senators attending the Senate from the first senate district.

The bill from the Assembly, entitled "An act to confirm the official acts of Charles A. Floyd, a master in chancery," was read the third time and passed.

The bill from the Assembly, entitled "An act to change the name of the village of Sawpit," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Beckwith	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. J. P. Jones	Mr. Seger	Mr. Young

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

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The bill from the Assembly, entitled "An act for the relief of Peter Van Alstyne," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker	
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling	
Mr. Beckwith	Mr. Loomis	Mr. Tallmadge	
Mr. Downing	Mr. McLean	Mr. Tracy	
Mr. Edwards	Mr. Mack	Mr. Van Dyck	
Mr. Hunter	Mr. Maison	Mr. Wager	•
Mr. Huntington	Mr. Paige	Mr. Willes	
Mr. Johnson	Mr. Powers	Mr. Works	
Mr. J. P. Jones	Mr. Seger	Mr. Young	27

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendment therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act relative to unclaimed trunks and baggage;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Edwards, from the said committee, reported the same with amendments; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to regulate the distribution of bank stock;" also on the bill, entitled "An act to improve the currency of this state, by rendering bank notes of uniform par value, and for other purposes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M.—MARCH 9, 1837.

The Senate met pursuant to adjournment.

Mr. Wager presented the petition of the trustees of the Vernon Academy, for an act of incorporation; which was read, and referred to the committee on literature.

Mr. Powers presented the petition of sundry inhabitants of the county of Greene, for a loan to the Canajoharie and Catskill Rail-Road Company, to enable that company to construct a second tract to their road; which was read, and referred to the committee on rail-roads.

Mr. Powers presented the remonstrance of Francis Norwood and others, inhabitants of the counties of Greene, Albany and Schoharie, against the passage of the bill to amend the charter of the eastern branch of the Schoharie Turnpike Road Company; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Edwards presented the petition of sundry inhabitants of the county of Onondaga, for a bank, to be located in the village of Syracuse; which was read, and referred to the committee on banks and insurance

companies.

Mr. L. Beardsley asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act for the relief of Gurden Perkins:" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

Mr. Livingston, from a select committee, reported without amend-ment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the Gas-light Company of the city of New-York,' passed March 26, 1823;" which was committed to a committee of the whole.

Mr. Livingston, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act to incorporate the Peckslip and Williamsburgh Ferry Company;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act relating to highways in the town of Greenburgh, in the county of Westchester;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act authorizing Samuel M'Kinstry to change his name;" which was read the first time, and by unanimous consent was also read a second

time, and referred to the committee on the judiciary.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate the Orange County Mutual Insurance Company," and that the same be engrossed for a third reading.

The engressed bill, entitled "An act to incorporate the Westchester County Mutual Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Beckwith	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Van Dyck
Mr. Fox	Mr. Maison	Mr. Wager
Mr. Hunter	Mr. Paige	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Works
Mr. Johnson		

Ordered, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

25

The bill from the Assembly, entitled "An act to incorporate the Peckslip and Williamsburgh Ferry Company," was read the third time. Ordered, That the said bill be referred to the committee on roads

and bridges.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to regulate the distribution of bank stock;" also on the bill, entitled "An act to improve the currency of this State, by rendering bank notes of uniform par value, and for other purposes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 11 o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK, A. M.—MARCH 10, 1837.

The Senate met pursuant to adjournment.

Mr. Paige presented the petition of the Medical Society of New-York, praying for relief; which was read, and referred to the committee on literature.

Mr. Lawyer presented the petition of sundry inhabitants of Greene county, praying for a loan to the Canajoharie and Catskill Rail-Road Company, to enable said company to construct a second tract; which was read, and referred to the committee on rail-roads.

Mr. Edwards, from the committeee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act authorizing Samuel M'Kinstry to change his name;" which was agreed to

by the Senate, and the bill ordered to a third reading.

Mr. McLean, from the committee on literature, to whom was referred the petition for the incorporation of the Utica Female Academy, brought in a bill, entitled "An act to incorporate the Utica Female Academy;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Paige, from the joint committee to which was referred the bill, entitled "An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New-York for safe keeping," to report complete, reported the same; which was committed to a com-

mittee of the whole.

Mr. Spraker, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act authorizing the sale of certain buildings in the village of Johnstown, heretofore known as the court-house, jail and clerk's office of the county of Montgomery, and for other purposes;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Armstrong, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to repeal an act to provide for a permanent district school in Syracuse;" which was com-

mitted to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act relating to highways in the town of Greenburgh, in the county of Westchester;" which was agreed to by the Senate, and the bill ordered to a third reading.

A message from his excellency the Governor, delivered by his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

Gentlemen-

I have this day approved and signed the bill, entitled "An act to amend the act entitled 'An act for the relief of Warren W. Case,' passed May 3, 1836."

Also the bill, entitled "An act to incorporate the St. Johnsville Bridge Company."

W. L. MARCY.

Albany, March 9, 1837.

Two several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to amend an act entitled 'An act to amend the several acts

relating to the taxes on dogs,' passed April 20, 1835:"

"An act relative to a tax on dogs in the counties of Yates, Wayne

and Cayuga:"
Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on agriculture.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to change the manner of appointing Bank Commissioners:"
"An act to amend the charter of the Guardian Insurance Company:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on banks and insu-

rance companies.

A bill was received from the Assembly for concurrence, entitled "An act appointing commissioners to lay out and open a public highway from the east line of the town of Watson, in the county of Lewis, to Moriah, in the county of Essex;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to change the time of holding the court of common pleas and general sessions in the county of Oswego;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the fifth senate district.

The bill entitled "An act to divide the city of Schenectady into four wards, and for other purposes," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Mr. President put the question on agreeing to the said amendments, and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Beckwith	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Fox	Mr. Maison	Mr. Wager
Mr. Hunter	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works

24

Thereupon,

Resolved, That the Senate do concur with the Assembly in their said amendments to the said bill.

Ordered, That the clerk deliver said bill, and a copy of said resolu-

tion to the Assembly.

The bill entitled "An act to incorporate a fire engine company in the village of Norwich, in the county of Chenango," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

Two several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act for the relief of Eliza Powers and others:"

"An act to amend the act entitled 'An act regulating the specific funds of the State,' passed May 9, 1835:"

Which were presented to his excellency the Governor by the clerk.

The President laid before the Senate the proceedings of a numerous meeting of the citizens of New-York; which were read, and ordered to be laid on the table.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate the Schenectady Young Ladies Seminary;" also the bill, entitled "An act to incorporate the Schenectady Lyceum and Academy," and that the same be referred to a select committee, consisting of the senators attending the Senate from the third senate district, to report complete.

Mr. Tracy asked for and obtained leave of absence for Mr. Fox for

the remainder of the session.

Mr. Van Dyck, from the committee on engrossed bills, reported as correctly engrossed, three several bills, of the following titles, to wit:

"An act relative to unclaimed trunks and baggage:"

"An act to incorporate the Orange County Mutual Insurance Company:"

"An act for the relief of Gurden Perkins:"

Thereupon,

The said engrossed bill, entitled "An act relative to unclaimed trunks

and baggage," was read the third time and passed.

The said engrossed bill, entitled "An act to incorporate the Orange County Mutual Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. L. Beardsley	Mr. J. P. Jones Mr. Lawyer	Mr. Seger
Mr. Beckwith	Mr. Lawyer Mr. Loomis	Mr. Sterling Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy

Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Fox	Mr. Maison	Mr. Wager
Mr. Hunter	Mr. Paige	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Works
Mr. Hunungwu	MI. I OWEIS	MII. WOLKS

Mr. Johnson

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The said engrossed bill, entitled "An act for the relief of Gurden Perkins," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and

request their concurrence to the same.

The bill from the Assembly, entitled "An act authorizing the sale of certain buildings in the village of Johnstown, heretofore known as the court-house, jail and clerk's office of the county of Montgomery, and for other purposes," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Seger
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Spraker
Mr. Beckwith	Mr. Lawyer	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Wager
Mr. Fox	Mr. Paige	Mr. Willes
Mr. Hunter	Mr. Powers	Mr. Works
Mr. TT		

Mr. Huntington

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Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act relating to highways in the town of Greenburgh, in the county of Westchester," was read the third time and passed.

The bill from the Assembly, entitled "An act authorizing Samuel M'Kinstry to change his name," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate the Canandaigua Hydraulic Company," and that the same be recommitted to a select committee, consisting of the senators attending the Senate from the seventh senate district.

The Senate then again resolved itself into a committee of the whole, on the bill, entitled "An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President re-

sumed the chair, and Mr. Johnson, from the said committee, reported the same with amendments; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Then the Senate adjourned until 11 o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK, A. M.—MARCH 11, 1837.

The Senate met pursuant to adjournment.

Mr. Willes presented the petition of Sampson Marks and others, citizens of Rockland county, for a law authorizing a ferry between Call's landing and Ver Planck's point, on the Hudson river; which was read, and referred to the committee on roads and bridges.

Mr. Works presented the memorial of sundry citizens of western counties, in favor of the Conewango canal; which was read, and re-

ferred to the committee on canals.

Mr. L. Beardsley presented the petition of sundry inhabitants of Fort-Plain and its vicinity, praying for a loan to the Canajoharie and Catskill Rail-Road Company; which was read, and referred to the committee on rail-roads.

Mr. Edwards presented the petition of John Searing and others, inhabitants of Cayuga county, for an amendment of the law taxing dogs;

which was read, and referred to the committee on agriculture.

Mr. Livingston presented the petition of the Cohoes Manufacturing Company, for the use of the waters of the enlarged Eric canal that may not be required for the purposes of navigation; which was read, and referred to the Canal Commissioners.

Mr. Tracy presented a remonstrance of 409 inhabitants of Genesee county, against extending the charter of the Avon Bridge Company, in Avon, Livingston county; which was read, and referred to the com-

mittee on roads and bridges.

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of sundry inhabitants of the counties of Schenectady and Montgomery, brought in a bill, entitled "An act to amend an act entitled 'An act to incorporate the Florida and Duanesburgh Turnpike Company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of Sampson Marks and others, citizens of Rockland county, brought in a bill, entitled "An act to establish a ferry from Call's dock to Ver Planck's point;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, the bill from the Assembly, entitled

"An act to amend the charter of the Guardian Insurance Company;" which was agreed to by the Senate, and the bill ordered to a third read-

ing.

Mr. Young, from the committee on literature, to whom was referred the petition of the Medical Society of New-York, brought in a bill, entitled "An act authorizing the Regents of the University to confer honorary degrees of doctors of medicine;" which was read the first time, and by unanimous consent was also read a second time.

Mr. Young moved said bill be engrossed for a third reading.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley Mr. Downing	Mr. Law ye r Mr. Mack	Mr. Powers Mr. Sterling	
Mr. Johnson	Mr. Maison	Mr. Tracy	12
Mr. J. P. Jones	Mr. Paige	Mr. Young	

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Livingston	Mr. Tallmadge	
Mr. Edwards	Mr. Loomis	Mr. Van Dyck	
Mr. Huntington Mr. Lacy	Mr. Seger Mr. Spraker	Mr. Willes Mr. Works	12

The yeas and nays being equally divided, Mr. President gave the casting vote in the negative.

Thereupon,

Ordered, That said bill be committed to a committee of the whole.

Mr. Seger, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to change the time of holding the court of common pleas and general sessions in the county of Oswego;" which was agreed to by the Senate, and the bill ordered to a third reading.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act for the relief of Catharine Fridley:"

"An act to increase the capital stock of the Oswegatchie Navigation

Company:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on canals.

The bill entitled "An act to authorize the appointment of measurers of grain in the counties of Dutchess and Orange," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Resolved, That the Senate do concur with the Assembly in their said amendments to the said bill.

Ordered, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled "An act to incorporate the Utica Female Seminary."

Thereupon,

The said engrossed bill was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker	
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling	
Mr. Downing	Mr. Loomis	Mr. Tallmadge	
Mr. Edwards	Mr. Mack	Mr. Tracy	
Mr. Huntington	Mr. Maison	Mr. Van Dyck	
Mr. Johnson	Mr. Paige	Mr. Willes	
Mr. J. P. Jones	Mr. Powers	Mr. Works	
Mr. Lacy	Mr. Seger	Mr. Young	24

Ordered, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to amend the charter of the Guardian Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Livingston	Mr. Spraker
Mr. L. Beardsley	Mr. Loomis	Mr. Sterling
Mr. Downing	Mr. McLean	Mr. Tallmadge
Mr. Edwards	Mr. Mack	Mr. Tracy
Mr. Huntington	Mr. Maison	Mr. Van Dyck
Mr. Johnson	Mr. Paige	Mr. Willes
Mr. J. P. Jones	Mr. Powers	Mr. Works
Mr. Lacy	Mr. Seger	Mr. Young
Mr. Lawyer	_	.*

The bill from the Assembly, entitled "An act to change the time of holding the court of common pleas and general sessions in the county of Oswego," was read the third time and passed.

25

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The annual report of the trustees of Union College, was received and read.

[See Senate Document No. 50.]

Ordered, That said report be laid on the table.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock on Monday morning next.

MONDAY, 10 O'CLOCK, A. M.—MARCH 13, 1837.

The Senate met pursuant to-adjournment.

Mr. Wager presented two several petitions of sundry citizens of the city of New-York, and of sundry inhabitants of Oneida county, praying for the incorporation of a company to construct a steam-boat canal from Utica to Oswego; which were read, and referred to the committee on canals.

Mr. Wager presented the petition of sundry citizens of Utica, praying for the incorporation of the Young Men's Association of the city of Utica; which was read, and referred to the committee on literature.

Mr. Wager presented the petition of sundry inhabitants of the towns of Kirkland and Paris, in Oneida county, praying for the passage of a law authorizing the annexation of parts of lots 40, 57 and 73, of Cox's patent, in Kirkland, to the town of Paris; which was read, and referred to the committee on the division of towns and counties.

Mr. Willes presented the petition of sundry inhabitants of Clinton and Essex counties, praying for a renewal of the act to incorporate the Great Au Sable Rail-Road Company; which was read, and referred to the

committee of the whole, when on the bill on that subject.

Mr. Edwards, from the committee on the judiciary, to whom was referred the memorial of the members of the bar and other citizens of Chautauque county, praying that the powers of the first judge may be extended to the other judges of said county, reported against the prayer of the memorialists, which was agreed to by the Senate.

of the memorialists; which was agreed to by the Senate.

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of sundry inhabitants of the counties of Ulster and Dutchess, praying the passage of a law to incorporate a turnpike company in the county of Ulster, brought in a bill, entitled "An act to incorporate the Dashville Turnpike Company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Loomis, from the committee on manufactures, to which was referred the petition of sundry inhabitants of Yates and Steuben, brought in a bill, entitled "An act to incorporate the Penn-Yan Manufacturing

Company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, the bill from the Assembly, entitled "An act to change the manner of appointing Bank Commissioners;" which was agreed to by the Senate, and the bill ordered to a third read-

ing

The bill entitled "An act authorizing the sale of certain buildings in the village of Johnstown, heretofore known as the court-house, jail and clerk's office of the county of Montgomery, and for other purposes," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

On motion of Mr. Edwards,

Ordered, That Warren W. Case have permission to withdraw his

petition and papers.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate the Norwich Union Seminary," and that the same be engreesed for a third reading.

Qrdercd, That the report of the commissioners appointed to locate the New-York State Lunatic Asylum, be referred to the committee on

public buildings.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to establish a ferry from Call's dock to Ver Planck's point," and that the same be referred to the committee on roads and bridges, to report complete.

The bill from the Assembly, entitled "An act to change the manner of appointing Bank Commissioners," with the engressed amend-

ments, was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to regulate the distribution of bank stock;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported the same with amend-

ments.

Ordered, That said report be laid on the table.

The Senate then again resolved itself into a committee of the whole,

on the bill entitled "An act to improve the currency of this State, by rendering bank notes of uniform par value, and for other purposes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M.-MARCH 14, 1637.

The Senate met pursuant to adjournment.

Mr. Spraker presented the petition of sundry inhabitants of Canajoharie, Montgomery county, for a McAdam or turnpike road from Sharon, Schoharie county, to Canajoharie, with a capital of \$50,000; which was read, and referred to the committee on roads and bridges.

Mr. Edwards presented the petition of Dan Bradley and others, and a memorial of sundry inhabitants of Onondaga county, on the subject of distilling grain; which were read, and referred to the committee on manufactures.

Mr. Sterling presented the petition of Ira Allen and others, praying for an act incorporating the village of Port-Ontario, in Oswego county; which was read, and referred to the committee on the incorporation of cities and villages.

Mr. Sterling presented the petition of K. A. Farr and others, praying for an act incorporating a company to construct a canal, and for hydraulic purposes, at Port-Ontario; which was read, and referred to the committee on canals.

Mr. Sterling presented the petition of Charles J. L. L'Amareux and others, praying for an act incorporating a company to construct a railroad from Rome to Port-Ontario, Oswego county; which was read, and referred to the committee on rail-roads.

Mr. Sterling presented a petition for an act incorporating a company for the construction of a canal from Oneida lake to Port-Ontario, at the mouth of Salmon river, in Oswego county; which was read, and referred to the committee on canals.

Mr. Huntington presented the remonstrance of sundry inhabitants of Livingston county, against the incorporation of the Avon Bridge Company; which was read, and referred to the committee on roads and bridges.

Mr. Works presented nine several remonstrances of citizens of Livingston county, against continuing a toll-bridge across the Genesee river at Avon; which were read, and referred to the committee on roads and bridges.

Mr. Works presented the memorial of sundry citizens of western counties, in favor of the Conewango canal; which was read, and referred to the committee on canals.

Mr. Powers presented the petition of sundry inhabitants of the county of Greene, praying for a loan to the Canajoharie and Catskill Rail-Road Company of \$400,000, to enable said company to construct a double tract; which was read, and referred to the committee on rail-roads.

Mr. Livingston, from the committee on canals, reported without amendment, the bill from the Assembly, entitled "An act for the relief of Catharine Fridley;" which was committed to a committee of the

whole.

Mr. L. Beardsley, from the committee on finance, brought in a bill, entitled "An act increasing the salary of certain officers therein mentioned;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act to incorporate the Troy Turnpike and Rail-Road Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on rail-roads.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to incorporate the Lyons' Academy:"

"An act to increase the capital stock of the Alexander Classical School:"

Which were read the first time, and by unanimous consent were also

read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act for the licensing and government of the pilots of the port of New-York, by the way of Sandy-Hook;" which was read the first time, and by unanimous consent was also read a second time, and referred to the select committee on so much of the Governor's message as relates to that subject.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to extend the charter of the Washington Insurance Company:"

"An act to incorporate the Buffalo Mutual Insurance Company:"
Which were read the first time, and by unanimous consent were also
read a second time, and referred to the committee on banks and insu-

rance companies.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the village of Ellicottville;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

Three several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles,

to wit:

"An act for the relief of Peter Van Alstyne:"

"An act confirming the acts of Joseph Boyer, a commissioner of deeds in the town of Le Ray, in the county of Jefferson:"

"An act to change the manner of appointing Bank Commissioners:"
The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

Two several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act to incorporate the Orange County Mutual Insurance Com-

pany:"

"An act for the relief of Gurden Perkins:"

Which were presented to his excellency the Governor by the clerk. The bill entitled "An act to incorporate the Westchester County Mutual Insurance Company," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Mr. President put the question on agreeing to the said amendments, and it was decided in the affirmative; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Seger
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Spraker
Mr. L. Beardsley	Mr. Lacy	Mr. Trácy
Mr. Beckwith	Mr. Lawyer	Mr. Van Dyck
Mr. Downing	Mr. Loomis	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Huntington	Mr. Powers	,

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Thereupon,

Resolved, That the Senate do concur with the Assembly in their said amendments to the said bill.

Ordered, That the clerk deliver said bill, and a copy of said resolu-

tion to the Assembly.

Mr. Powers asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to increase the number of firemen in the village of Athens, in the county of Greene;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate the Poughkeepsie Locomotive Engine Company," and that the same be

engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act for the preservation of legislative petitions and papers," and that the same be referred to the committee on the judiciary, to report complete.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act

te amend an act entitled 'An act to incorporate the Jamestown Academy,' passed April 16, 1836," and that the same be ordered to a third

reading.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the Jamestown Academy,' passed April 16, 1836," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. J. P. Jones	Mr. Powers
	Mr. Seger
Mr. Lawyer	Mr. Spraker
Mr. Livingston	Mr. Tracy
Mr. Loomis	Mr. Van Dyck
Mr. Mack	Mr. Willes
Mr. Maison	Mr. Works
	Mr. Livingston Mr. Loomis Mr. Mack

Mr. Johnson

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The bill from the Assembly, entitled "An act to incorporate the Norwich Union Seminary," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger
Mr. J. Beardsley	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Tracy
Mr. Downing	Mr. Loomis	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Works
Mr. Johnson		

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to improve the currency of this State, by rendering bank notes of uniform par value, and for other purposes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported the same with amendments; which said report was read in the words following, to wit:

An Act to improve the bank currency of this state, by rendering bank notes of uniform par value, and for other purposes.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

i 1. Every banking corporation in this state, subject to the bank fund

law, except as hereinafter in the third section mentioned, shall cause to be made and entered upon its books, as often at least as once in each week, a statement of its general condition; in which the amount of specie on hand and of its bank notes in circulation, shall be stated: and it shall be the duty of the bank commissioners, from time to time, to examine such statements, and from them ascertain the average amount of specie on hand, and of bank notes in circulation of such bank, for each quarter of the year ending on the last days of March, June, September and December, in each year.

§ 2. Every such bank, whose quarterly average amount of bank notes in circulation shall exceed twice its quarterly average amount of specie on hand, shall be deemed as violating the law of this state, and the cashier and officers of said bank assenting thereto, shall be guilty of a misdemeanor; and it shall be the duty of the bank commissioners to report such offending institution to the next legislature, if they shall

be satisfied that such violation of law has been intentional.

§ 3. The foregoing sections shall not be applicable to, nor shall they affect, any bank whose bills shall be current and at par in the city of New-York, so long as such bills shall be kept current and at par in said

city.

- § 4. It shall be the duty of the banks in the city of New-York, to yield all reasonable facilities to the banks out of that city, for keeping their notes at par; and to enter into such equitable arrangements with the country banks in furtherance of that object, as shall in a measure divide the loss and share the burthens of the banks out of the city, in thus rendering the bank notes of this state of uniform par value; and if the banks in the city, or any of them, shall impose such terms as the bank commissioners shall deem unequal; or shall refuse to enter into such arrangements to receive deposites from the country banks, and to redeem ther notes, as the bank commissioners to report the same equitable, it shall be the duty of said commissioners to report the same and the names of the offending city bank or banks, at the commencement of the next session of the legislature, with the facts and circumstances in relation thereto, and so from year to year at the commencement of each session.
- § 5. If any country bank shall be unable to make an arrangement with any city bank for the redemption of its notes at par in said city, upon such terms as the bank commissioners shall decide to be fair and equitable, then such country bank shall be exempt from the provisions of the preceding sections of this act.

§ 6. It shall not be lawful for any incorporated bank of this state to charge a greater premium on the sale of a draft on the cities of Albany

or New-York, than one-half of one per cent.

§ 7. It shall not be lawful for any bank of this state to charge any discount on its own certificates of deposite, or to insist on paying such certificates in uncurrent funds, unless it shall appear on the face of such certificate that it is to be paid in funds not current.

§ 8. This act shall take effect and be in force from and after the first

day of October next.

Thereupon,

Mr. Maison moved to amend the said report, by adding a section in the words following, to wit:

- " i . If any bank, subject to the provisions of the act entitled "An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes," passed April 2, 1829, shall not keep its bills at par in the city of New-York, (any bank which shall fail to comply with the provisions of this act,) it shall be reported by the bank commissioners to the next succeeding legislature at the commencement of the session."
- Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker	
Mr. L. Beardsley	Mr. Loomis	Mr. Sterling	
Mr. Downing	Mr. McLean	Mr. Tallmadge	٠
Mr. Edwards	Mr. Mack	Mr. Tracy	
Mr. Hunter	Mr. Powers	Mr. Wager	
Mr. Johnson	Mr. Seger	Mr. Works	
Mr. J. P. Jones	S		•

FOR THE AFFIRMATIVE.

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Mr. Livingston	Mr. Van Dyck	Mr. Willes
Mr. Maison	•	4

Mr. Livingston then moved to amend the said report, by striking out of the fourth section, commencing in the fourth line, the words following, to wit:

"As shall in a measure divide the loss and share the burthens of the banks out of the city, in thus rendering the bank notes of this state of uniform par value."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Spraker
Mr. L. Beardsley	Mr. Lacy	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Wager
Mr. Hunter	Mr. Mack	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works

FOR THE AFFIRMATIVE.

Mr. Livingston Mr. Maison Mr. Tallmadge

Mr. Van Dyck

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Mr. Tracy moved to amend the said report, by striking out the first section thereof, for the purpose of inserting a section in the words following, to wit:

"§ 1. Any bank subject to the provisions of the act entitled "An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes," passed April 2, 1829, which shall refuse to receive in payment of debts due to such bank, and payable at such bank, the bills or notes of any other bank not insolvent, and subject to the provisions of the same law, shall be deemed to have violated its charter."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

'to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Powers	
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Spraker	
Mr. Downing	Mr. Livingston	Mr. Sterling	
Mr. Edwards	Mr. McLean	Mr. Tallmadge	
Mr. Hunter	Mr. Maison	Mr. Wager	15
Mr. Edwards		Mr. Sterling Mr. Tallmadge	18

FOR THE AFFIRMATIVE.

Mr. Lacy	Mr. Tracy	Mr. Willes
Mr. Loomis	Mr. Van Dyck	Mr. Works
Mr. Mack	• •	,

Thereupon,

Mr. President put the question on agreeing to said report, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. J. P. Jones	Mr. Powers
Mr. Lacy	Mr. Sterling
Mr. Livingston	Mr. Tallmadge
Mr. McLean	Mr. Wager
Mr. Maison	3
	Mr. Lacy Mr. Livingston Mr. McLean

FOR THE NEGATIVE.

Mr. Loomis Mr. Tracy Mr. Willes
Mr. Mack Mr. Van Dyck Mr. Works
Mr. Spraker

Ordered, That said bill be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act authorizing the appointment of commissioners to digest and report a judicial and equity system for the state of New-Yerk," and also upon the resolutions for an amendment of the Constitution; and after some time spent thereon, Mr. President resumed the chair, and Mr. Livingston, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act authorizing the purchase or erection of a dwelling-house for the Governor of this State;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Livingston, from the said committee, reported that the committee had rejected the first sec-

tion of said bill.

Thereupon,

Mr. L. Beardsley moved to amend said report, by restoring the first section of said bill, in the words following, to wit:

- § 1. The trustees of the new state-hall are hereby authorized to purchase a house for the governor of this state, in the city of Albany, and a sum not exceeding twenty thousand dollars is hereby appropriated for the aforesaid object, to be paid by the treasurer, on the warrant of the comptroller, from any money in the treasury not otherwise appropriated.
- Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. Lawyer	Mr. Powers	
Mr. Downing	Mr. Livingston	Mr. Spraker	
Mr. Hunter	Mr. McLean	Mr. Van Dyck	
Mr. Johnson	Mr. Mack	Man van Dyon	11

FOR THE NEGATIVE.

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Mr. Armstrong	Mr. Loomis	Mr. Tracy
Mr. Beckwith	Mr. Maison	Mr. Willes
Mr. Edwards	Mr. Seger	Mr. Works
Mr. Lacy	Mr. Tallmadge	

The yeas and nays being equally divided, Mr. President gave the casting vote in the affirmative.

Ordered, That the said bill be recommitted to a committee of the

whole.

Then the Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M.—MARCH 15, 1837.

The Senate met pursuant to adjournment.

Mr. Willes presented the memorial of inhabitants of the county of St. Lawrence, relative to the enlargement of the Eric canal; which was read, and referred to the committee on canals.

Mr. J. P. Jones presented the petition of William Radcliff, an alien, for the passage of an act to authorize him to hold and convey real estate; which was read, and referred to the committee on the judiciary.

Mr. J. P. Jones presented the petition of sundry inhabitants of Sullivan county, praying for a bank, to be located at Monticello, with a capital of \$200,000, to be called the Sullivan County Bank; which was read, and referred to the committee on banks and insurance companies.

Mr. Tracy presented the memorial of sundry inhabitants of Erie county, in favor of a general system of private banking; which was

read, and referred to the select committee of eight.

Mr. Lawyer presented the petition of sundry inhabitants of Schoharie and Greene counties, praying for a loan to the Canajoharie and Catskill Rail-Road Company; which was read, and referred to the committee on rail-roads.

Two several remonstrances of sundry inhabitants of the counties of Albany, Greene and Schoharie, against the petition of the president and directors of the Bristol and Rensselaerville Turnpike Road Company, were presented and read, and referred to the committee of the whole when on the bill on that subject.

Mr. Beckwith presented the proceedings of the town meeting at Whitestown, Oneida county, against rebuilding the jails and removing the courts of said county; which were read, and referred to the com-

mittee of the whole when on the bill on that subject.

Mr. Willes, from the committee on roads and bridges, to whom was referred several petitions of sundry inhabitants of the counties of Schoharie, Greene, Ulster and Oneida, brought in a bill, entitled "An act to authorize county judges to inspect turnpike roads and to fix the location of gates thereon;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, 'That the said bill be printed.

Mr. Livingston, from the committee on canals, reported with amendmen's, the bill from the Assembly, entitled "An act to increase the capital stock of the Oswewatchie Navigation Company;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Maison, from the committee on the judiciary, reported against the petition of sundry inhabitants of the county of Albany, praying the passing of an act to prevent frivolous and vexatious suits at law, and to define the rights and privileges of courts and jurous, and other acts therein mentioned; which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the said petitioners be denied.

Mr. Edwards, from the committee on the judiciary, to whom was referred the bill entitled "An act for the preservation of legislative petitions and papers," to report complete, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Buffalo Mutual Insurance Company; was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, the bill from the Assembly, entitled "An act to extend the charter of the Washington Insurance Compa-

ny;" which was committed to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, to whom was referred the bill entitled "An act to establish a ferry between Ver Planck's point and Grassy point," and the bill, entitled "An act to establish a ferry from Call's dock to Ver Planck's point," to report complete, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Loomis, from the select committee to which was referred the bill entitled "An act incorporating the Canandaigua Hydraulic Company," reported the same with amendments; which was committed to a com-

mittee of the whole.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act for the relief of Eliza Powers and others."

Also the bill, entitled "An act to amend the act entitled 'An act regulating the specific funds of the state,' passed May 9, 1835."

Also the bill, entitled "An act to authorize the appointment of mea-

surers of grain in the counties of Dutchess and Orange."

Also the bill, entitled "An act to divide the city of Schenectady into

four wards, and for other purposes."

Also the bill, entitled "An act to incorporate the Westchester County Mutual Insurance Company."

Also the bill, entitled "An act for the relief of Gurden Perkins."
W. L. MARCY.

Albany, March 14, 1837.

A report from the Canal Board, in pursuance of a resolution of the Senate of the 21st February last, relative to the enlargement of the Erie canal, was received and read.

[See Senate Document No. 53.]

Ordered, That said report be referred to the committee on canals.

Two several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act relative to the State prisons of the state of New-York:"
"An act to increase the compensation of the State prison guards:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on State prisons.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to appoint commissioners to lay out a road through the towns of Castleton and Northfield, in the county of Richmond:"

"An act to amend the act incorporating the New-York and Williams-

burgh Ferry Company:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Cattaraugus County Mutual Insurance Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act to incorporate the village of Medina, in the county of Orleans, passed March 3, 1832;" which was read the first time, and by unanimous consent was also read a second time, and referred to the

committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the building of a new court-house in the county of Chenango;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the sixth senate district.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act authorizing the appointment of a supreme court commissioner to reside in the town of Sangersfield, in the county of Oneida," and that the same be engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of two several bills, of the following titles, to wit:

"An act to provide for the construction of the Goshen and New-Jersey rail-road;"

"An act to provide for the construction of a rail-road from the village of Warwick to the New-York and Erie rail-road:"

And that the same be referred to a select committee, consisting of the senators attending the Senate from the second senate district, to report complete.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to appoint commissioners to lay out a road from York to Avon," and that the same be ordered to a third reading.

Mr. Edwards moved the following resolution:

Resolved, That the following amendments to the Constitution of this State be proposed and referred to the Legislature next to be chosen, and that the Secretary of State cause the same to be published for three months previous to the next annual election, in pursuance of the provisions of the first section of the eighth article of the Constitution:

1st. The Legislature may reorganize the Court of Chancery: it may reduce the number of circuit judges, and may authorize the appointment of one or more additional vice-chancellors, but the whole number shall not exceed four; and when the number of circuit judges are once fixed by law, such number shall not thereafter be reduced. It may define and regulate the powers and duties of the chancellor and vice-chancellors and the right of appeal to a court of chancery, consisting of the chancellor and at least two vice-chancellors, or to the chancellor; and it may also to regulate appeals from the court of chancery to the court for the trial of impeachments and the correction of errors; and make such provisions by law, as it may deem necessary, for the reorganization of the said courts and the regulation thereof.

2d. The vice-chancellors shall be members of the court for the trial of impeachments and the correction of errors, in the same manner the chancellor now is, and shall be subject to the same tenure of office,

and be liable in like manner to impeachment.

3d. So much of the Constitution as is inconsistent with these provisions is hereby annulled.

Resolved, That the foregoing resolution be transmitted to the honor-

able the Assembly for concurrence.

Which were read the first time, and by unanimous consent were also

read a second time, and ordered to be laid on the table.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to enable the mayor, aldermen and commonalty of the city of New-York, to raise money by tax," and that the same be ordered to a third reading.

Mr. Van Dyck, from the committee on engrossed bills, reported as correctly engrossed, three several bills, of the following titles, to wit:

"An act to improve the bank currency of this state, by rendering bank notes of uniform par value, and for other purposes:"

"An act authorizing a loan of certain moneys belonging to the United States, deposited with the state of New-York for safe keeping:"

"An act to incorporate the Orange County Mutual Insurance Company:"

Thereupen,

The said engrossed bill, entitled "An act to improve the bank currency of this state, by rendering bank notes of uniform par value, and for other purposes," was read the third time.

Thereupon,

Mr. Mack moved the following resolution:

Resolved, That the bill entitled "An act to improve the bank currency of this state, by rendering bank notes of uniform par value, and for other purposes," requires a vote of two-thirds of all the members elected to the Senate to pass the same.

Ordered, That said bill and resolution be laid on the table.

The said engrossed bill, entitled "An act authorizing a loan of certain moneys belonging to the United States, deposited with the state of New-York for safe keeping," was read the third time and passed.

Ordered, That the clerk deliver said bill to the Assembly, and request

their concurrence to the same.

The bill from the Assembly, entitled "An act to increase the capital stock of the Oswegatchie Navigation Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Seger
Mr. J. Beardsley	Mr. Livingston	Mr. Spraker
Mr. Beckwith	Mr. Loomis	Mr. Sterling
Mr. Downing	Mr. McLean	Mr. Tällmadge
Mr. Edwards	Mr. Mack	Mr. Tracy
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Willes
Mr. J. P. Jones	Mr. Powers	Mr. Works
Mr. Lacy		

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

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The bill from the Assembly, entitled "An act to incorporate the Buffalo Mutual Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. J. Beardsley	Mr. Lacy	Mr. Seger
Mr. Beckwith	Mr. Lawyer	Mr. Sterling
Mr. Downing	Mr. Livingston	Mr. Tallmadge
Mr. Edwards	Mr. Loomis	Mr. Tracy
Mr. Hunter	Mr. McLean	Mr. Wager
Mr. Huntington	Mr. Mack	Mr. Willes
Mr. Johnson	Mr. Paige	Mr. Works

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to appoint commissioners to lay out a road from York to Avon," with the engrossed amend-

ments, was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

A report of the Commissioners of the Canal Fund, relative to the amount of tolls collected and property transported on the canals in 1836, was received and read.

[See Senate Document No. 52.]

Ordered, That five times the usual number of copies of the said report be printed for the use of the Legislature, and two hundred and fifty

copies for the use of the commissioners.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and-deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning. .

THURSDAY, 10 O'CLOCK, A. M.—MARCH 16, 1837.

The Senate met pursuant to adjournment.

Mr. Spraker presented the petition of sundry inhabitants of Canajoharie, for a loan of \$400,000 to complete the second track of the Canajoharie and Catskill rail-road; which was read, and referred to the committee on rail-roads.

Mr. Works presented the remonstrance of 330 inhabitants of Livingston county, against continuing a toll-bridge across the Genesee river at Avon; which was read, and referred to the committee on roads and

bridges.

Mr. Powers presented the remonstrance of John C. Hogeboom of the county of Columbia, against the passage of the bill to increase the capital stock of the Hudson and Berkshire Rail-Road Company; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Hunter, from the committee on State prisons, reported with amendments, the bill from the Assembly, entitled "An act to increase

the compensation of the State prison guards;" which was committed to

a committee of the whole.

Mr. Hunter, from the committee on State prisons, reported with amendments, the bill from the Assembly, entitled "An act relative to the State prisons of the state of New-York;" which was referred to the committee of the whole, when on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the state of New-York for safe keeping."

Mr. Johnson, from the committee on the incorporation of cities and villages, reported without amendment, the bill entitled "An act to increase the number of firemen in the village of Athens, in the county of Greene;" which was agreed to by the Senate, and the bill ordered to

be engrossed for a third reading.

Mr. Johnson, from the committee on the incorporation of cities and villages, reported without amendment, the bill from the Assembly, entitled "An act to authorize the corporation of the city of Troy to borrow money for the purposes therein mentioned;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Cattaraugus County Mutual Insurance Company;" which was agreed to by the Senate, and the bill ordered to a

third reading.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the United States Insurance Company of the city of New-York;" which was committed to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to appoint commissioners to lay out a road through the towns of Castleton and Northfield, in the county of Richmond;" which was agreed to by

the Senate, and the bill ordered to a third reading.

Mr. Paige, from the select committee to which was referred the bill entitled "An act to incorporate the Schenectady Young Ladies Seminary," and the bill entitled "An act to incorporate the Schenectady Lyceum and Academy," to report complete, reported the same with amendments; which was agreed to by the Senate, and the bills ordered to be engrossed for a third reading.

Mr. Mack, from the committee on rail-roads, reported without amendment, the bill entitled "An act to amend the act entitled 'An act to incorporate the Troy Turnpike and Rail-Road Company;" which was

committed to a committee of the whole.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act to incorporate the Orange County Mutual Insurance Company."

W. L. MARCY.

Albany, March 15, 1837.

The bill entitled "An act for the relief of Sarah Roach," was received from the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act for the relief of James M'Kinney:"

"An act to amend the third section of an act regulating suits on bills of exchange and promissory notes, passed April 25, 1832:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the board of supervisors of the county of Monroe, to sell and convey the poor-house and farm belonging to said county, and to invest the proceeds thereof;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the eighth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend title sixteen of chapter twenty of the first and sixth parts of the Revised Statutes, entitled 'Of the preservation of deer and certain game and animals,' and the act extending the same, passed March 14, 1833;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Cayuga County Mutual Insurance Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance

companies.

A bill was received from the Assembly for concurrence, entitled "An act declaring a part of the Little Genesee creek a public highway;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate a fire company in Union village, Washington county," and that the same be

engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act for the relief of James Thompson," and that the same be ordered to a third reading.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, four bills, of the following titles, to wit:

"An act authorizing the appointment of a supreme court commissioner, to reside in the town of Sangersfield, in the county of Oneida:"

"An act to establish a ferry from Call's dock to Ver Planck's point:"
"An act for the preservation of legislative petitions and papers:"

"An act to establish a ferry between Ver Planck's point and Grassy point."

Thereupon,

The said engrossed bill, entitled "An act authorizing the appointment of a supreme court commissioner, to reside in the town of Sangersfield, in the county of Oneida," was read the third time, and ordered to be laid on the table.

The said engrossed bill, entitled "An act to establish a ferry from Call's dock to Ver Planck's point," was read the third time, and order-

ed to be laid on the table.

The engrossed bill, entitled "An act to incorporate the Poughkeepsie Locomotive Engine Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tallmadge
Mr. Edwards	Mr. McLean	Mr. Tracy
Mr. Hunter	Mr. Mack	Mr. Van Dyck
Mr. Huntington	Mr. Maison	Mr. Wager
Mr. J. P. Jones	Mr. Paige	Mr. Willes
Mr. Lacy	Mr. Powers	Mr. Works

Ordered, That the clerk deliver the said bill to the Assembly, and

request their concurrence to the same.

The bill from the Assembly, entitled "An act to incorporate the Cattaraugus County Mutual Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

	_	
Mr. Armstrong	Mr. Livingston	Mr. Sterling
Mr. L. Beardsley	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Huntington	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Willes
Mr. J. P. Jones	Mr. Powers	Mr. Works
Mr. Lacy	Mr. Spraker	Mr. Young
Mr. Lawyer		

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The bill from the Assembly, entitled "An act to appoint commissioners to lay out a road through the towns of Castleton and Northfield, in the county of Richmond," was read the third time and passed.

The bill from the Assembly, entitled "An act for the relief of James

Thompson," was read the third time and passed.

The bill from the Assembly, entitled "An act to enable the mayor, aldermen and commonalty of the city of New-York, to raise money by tax." was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

ment

The bill from the Assembly, entitled "An act to authorize the corporation of the city of Troy, to borrow money for the purposes therein mentioned," was read the third time, and ordered to be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act relative to the State prisons of the state of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported the same with amendments; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M.—MARCH 17, 1837.

The Senate met pursuant to adjournment.

Mr. Edwards presented the petition of the Auburn and Syracuse Rail-Road Company, for a grant of land at Syracuse for their freight depot; which was read, and referred to the Commissioners of the Land-Office.

Mr. Maison presented the remonstrance of inhabitants of the north part of the county of Columbia, against any alteration in applying the funds raised by the tax on dogs; which was read, and referred to the committee on agriculture.

Mr. Powers presented the petition of sundry inhabitants of the county of Schoharie, for a loan of \$400,000 to the Canajoharie and Catskill Rail-Road Company; which was read, and referred to the committee on rail-roads.

Mr. Powers presented the petition of sundry citizens of Hudson, relative to lands under water; which was read, and referred to a select committee, consisting of the senators attending the Senate from the third senate district.

Mr. Lacy, from the committee on agriculture, reported without amendment, the bill from the Assembly, entitled "An act relative to a tax on dogs in the counties of Yates, Wayne and Cayuga;" which was committed to a committee of the whole.

Mr. Livingston, from the committee on canals, reported without amendment, the bill from the Assembly, entitled "An act for the relief of Jacob Westlake and John M'Connell;" which was committed to a

committee of the whole.

Mr. Edwards, from the committee on the judiciary, to whom was referred the petition of William Ratcliff, an alien, for the passage of an act to authorize him to hold and convey real estate, reported against the prayer of the petitioners; which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the said petitioner be denied.

Mr. Edwards, from the committee on the judiciary, to whom was referred the petition of the president, directors and company of the Mohawk Bridge Company, for relief, against the Utica and Schenectady Rail-Road Company, made a report against the prayer of the said petitioner; which was agreed to by the Senate.

[See Senate Document No. 54.]

Thereupon,

Resolved, That the prayer of the said petitioners be denied.

Mr. Livingston asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to amend an act authorizing the appointment of commissioners to lay out streets, avenues and squares in the city of Brooklyn, passed April 23, 1835;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

A message from his excellency the Governor, delivered by his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

Gentlèmen-

I have this day approved and signed the bill, entitled "An act for the relief of Sarah Roach."

W. L. MARCY.

Albany, March 16, 1837.

A copy of a resolution was received from the Assembly, and read in

the words following, to wit:

Resolved, (if the Senate concur,) That the following amendment be proposed to the Constitution of this State, and referred to the Legislature next to be chosen, and published in pursuance of the first section of the eighth article of said Constitution:

Mayors of the several cities in this State may be elected annually by the male inhabitants entitled to vote for members of the common council of such cities respectively, in such manner as the legislature shall by law provide: And the legislature may, from time to time, make such provision by law for the election of any one or more of such mayors; but until such provision be made by law, such mayors (except the mayor of the city of New-York) shall be appointed in the manner now prescribed by the Constitution of this State: And so much of the tenth section of article fourth of the Constitution of this State as is inconsistent with this amendment, is hereby abrogated.

amendment, is hereby abrogated.

Ordered, That said resolution be referred to the committee on the

incorporation of cities and villages.

Ordered, That the committee on canals be discharged from the further consideration of the petition for an act incorporating a company to construct a canal, and for hydraulic purposes, at Port-Ontario; also from the petition for an act incorporating a company for the construction of a canal from Oneida lake to Port-Ontario, at the mouth of Salmon river, Oswego county, and that the same be referred to a select committee, consisting of the senators attending the Senate from the fifth senate district.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act authorizing Person Wood, and certain other persons therein named, to change their names," and that the same be ordered to a third reading.

Mr. Van Dyck, from the committee on engrossed bills, reported as correctly engrossed, four several bills, of the following titles, to wit:

"An act to incorporate a fire company in Union village, Washington county:"

"An act to incorporate the Schenectady Young Ladies' Seminary:"
"An act to incorporate the Schenectady Lyceum and Academy:"

"An act to increase the number of firemen in the village of Athens, in the county of Greene."

Thereupon.

The said engrossed bill, entitled "An act to incorporate a fire company in Union village, Washington county," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

		-
Mr. Armstrong	Mr. Lawyer	Mr. Powers
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Tracy Mr. Van Dyck
Mr. Hunter	Mr. Mack	Mr. Wager
Mr. Johnson	Mr. Maieon	Mr. Willes
Mr. J. P. Jones	Mr. Paige	Mr. Works
Mr. Lacy	J	• •

FOR THE NEGATIVE.

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The said engrossed bill, entitled "An act to incorporate the Schenectady Young Ladies' Seminary," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling
Mr. L. Beardsley	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. J. P. Jones	Mr. Powers	Mr. Works
Mr. Lacy	Mr. Spraker	

The said engrossed bill, entitled "An act to incorporate the Schenectady Lyceum and Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker	
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling	
Mr. Downing	Mr. Loomis	Mr. Tallmadge	
Mr. Edwards	Mr. McLean	Mr. Tracy	
Mr. Hunter	Mr. Mack	Mr. Van Dyck	
Mr. Huntington	Mr. Maison	Mr. Wager	
Mr. Johnson	Mr. Paige	Mr. Willes	
Mr. J. P. Jones	Mr. Powers	Mr. Works	24

The engrossed bill, entitled "An act to establish a ferry between Ver Planck's point and Grassy point," was read the third time and passed.

The engrossed bill, entitled "An act to establish a ferry from Call's dock to Ver Planck's point," was read the third time and passed.

Ordered, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

The engrossed bill, entitled "An act to increase the number of firemen in the village of Athens, in the county of Greene," was read the third time.

Ordered, That the question on the final passage of the said bill be laid on the table.

The bill from the Assembly, entitled "An act authorizing Person Wood, and certain other persons therein named, to change their names," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amend-

The bill from the Assembly, entitled "An act relative to the State

prisons of the state of New-York," with the engrossed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amend-

ments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M.—MARCH 18, 1837.

The Senate met pursuant to adjournment.

Mr. Lawyer presented two several petitions of sundry inhabitants of Schoharie county, for a loan to the Canajoharie and Catskill Rail-Road Company; which was read, and referred to the committee on rail-roads.

Mr. Livingston presented the memorial of the commissioners of the New-York and Albany Rail-Road Company, for an extension of the time for the commencement of their road, and for other purposes; which was read, and referred to the committee on rail-roads.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Cayuga County Mutual Insurance Company;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Mack, from the committee on the division of towns and counties, reported without amendment, the bill from the Assembly, entitled "An act to divide the town of Napoli, in the county of Cattaraugus;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Young, from the select committee of eight, to which were referred sundry petitions praying for the passage of a law creating a general system of private banking associations within this State, made a report thereon; which was read.

[See Senate Document No. 55.]

Ordered, That ten times the usual number of copies of said report be printed.

Mr. Loomis, from the same committee, brought in a bill, entitled "An act to authorize associations for the purpose of banking;" which was

read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That ten times the usual number of the said bill be printed,

and appended to the said report.

Mr. L. Beardsley, from the committee on the judiciary, reported against the bill from the Assembly, entitled "An act for the relief of James M'Kinney;" which was committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to extend the charter of the Northern Fire Insurance Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Clinton and Utica M'Adam Turnpike Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Geneva Hydraulic Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the seventh senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act to incorporate the Buffalo I aw Library;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the eighth senate district.

A bill was received from the Assembly for concurrence, entitled "An act further to amend an act in relation to the president, directors and first company of the Northern Turnpike Road;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the village of Flushing;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the appointment of a supreme court commissioner, to reside in the village of Syracuse, in the county of Onondaga;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the purchase of lands for salt manufacturing purposes, in the town of Salina;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

The bill entitled "An act to increase the capital stock of the Oswe-gatchie Navigation Company," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined, Ordered, That the clerk return the same to the Assembly. Ordered, That the bill, entitled "An act to prevent fraudulent sales

and assignments of personal property," be printed.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate the Great Au Sable Rail-Road Company," and that the same be referred to a select committee, consisting of the senators attending the Senate from the fourth senate district, to report complete.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to amend the act relating to limited partnerships," and that the same be engressed for a

third reading.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled "An act to amend an act authorizing the appointment of commissioners to lay out streets, avenues and squares in the city of Brooklyn, passed April 23, 1835."

Thereupon,

The said engrossed bill was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and

request their concurrence to the same.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act authorizing the purchase or erection of a dwelling-house for the Governor of this State;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported the same with amendments; which was read as follows:

An Act authorizing the purchase of a dwelling-house for the Governor of this State.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

in 1. The trustees of the new state-hall are hereby authorized to purchase a house for the governor of this state, in the city of Albany, and a sum not exceeding twenty thousand dollars is hereby appropriated for the aforesaid object, to be paid by the treasurer, on the warrant of the comptroller, from any money in the treasury not otherwise appropriated.

§ 2. This act shall take effect immediately after its passage, and the

trustees shall report to the next legislature their proceedings.

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Downing Mr. Lawyer Mr. Paige Mr. Hunter Mr. McLean Mr. Spraker	Mr. L. Beardsley	Mr. J. P. Jones	Mr. Maison	
	Mr. Downing	Mr. Lawyer	Mr. Paige	
18 8 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Mr. Hunter	Mr. McLean	Mr. Spraker	
Mr. Johnson Mr. Mack Mr. Van Dyck 1	Mr. Johnson	Mr. Mack	Mr. Van Dyck	12.

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Sterling	Mr. Willes
Mr. Edwards	Mr. Tallmadge	Mr. Works
Mr. Lacy	Mr. Tracy	Mr. Young
Mr. Loomie	Mr Wager	J

Mr. Loomis Mr. Wager

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Ordered. That said bill be engrossed.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Young, from the committee on literature, to whom was referred the petition for the incorporation of the Young Men's Association of the city of Utica, brought in a bill, entitled "An act to incorporate the Young Men's Association of the city of Utica;" which was read the first time, and by unanimous consent was also read a second time, and

committed to a committee of the whole.

Mr. Young, from the committee on literature, reported without amendment, two bills from the Assembly, of the following titles, to wit:

"An act to incorporate the Lyons Academy:"

"An act to increase the capital stock of the Alexander Classical School:"

Which were committed to a committee of the whole.

Then the Senate adjourned until 10 o'clock on Monday morning next.

MONDAY, 10 O'CLOCK, A. M.—MARCH 20, 1837.

The Senate met pursuant to adjournment.

Mr. Spraker presented the petition of sundry inhabitants of Palatine and its vicinity, in the county of Montgomery, for a loan of \$400,000 to complete the Canajoharie and Catskill rail-road; which was read, and referred to the committee on rail-roads.

Mr. Tracy presented the remonstrance of citizens of Livingston county, against extending the charter of the Avon Bridge Company; which

was read, and referred to the committee on roads and bridges.

Mr. Dickinson presented the resolutions of the annual town meeting of the town of Smyrna, in the county of Chenango, praying for the repeal of an act laying out a road from Smyrna to Earlville; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Dickinson presented the petition of sundry inhabitants of the county of Chenango, praying for the incorporation of a company to construct a turnpike road from Smithville-flatts, in the county of Chenango, to the town of Willett, in the county of Cortland; which was read, and referred to the committee on roads and bridges.

Mr. Willes presented the memorial of sundry inhabitants of Syracuse, against a repeal of the act to lay out a road from Syracuse to Earlville; which was read, and referred to the committee of the whole

when on the bill on that subject.

Mr. Dickinson presented the petition of sundry inhabitants of the towns of Union and Vestal, in the county of Broome, praying for the renewal of the act entitled "An act to incorporate the Union and Vestal Bridge Company;" which was read, and referred to the committee on roads and bridges.

Mr. Dickinson presented the petition of sundry inhabitants of Wheatland, in the county of Monroe, praying for the passage of a law making every village or town responsible in its collective capacity, to all persons who may suffer losses therein by reason of mobs; which was read,

and referred to the committee on the judiciary.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, the bill from the Assembly, entitled "An act to extend the charter of the Northern Fire Insurance Com-

pany;" which was committed to a committee of the whole.

Mr. L. Beardsley, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act to amend the third section of an act regulating suits on bills of exchange and promissory notes, passed April 25, 1832;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act authorizing the appointment of a supreme court commissioner, to reside in the village of Syracuse, in the county of Onondaga;" which was agreed to

by the Senate, and the bill ordered to a third reading.

Mr. Livingston, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act for the licensing and government of the pilots of the port of New-York, by the way of Sandy-

Hook;" which was committed to a committee of the whole.

Mr. Tracy, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Buffalo Law Library Association;'" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Willes, from a select committee, reported without amendment, the bill entitled "An act to incorporate the Great Au Sable Rail-Road Company;" which was agreed to by the Senate, and the bill ordered

to be engrossed for a third reading.

Two several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to wit:

"An act to appoint commissioners to lay out a road from York to Avon:"

"An act relative to the State prisons of the state of New-York:"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

Two several bills were received from the Assembly for concurrence. of the following titles, to wit:

"An act concerning common schools, and the office of superintendent thereof:"

"An act to incorporate the Canton Academy:"

Which were read the first time, and by unanimous consent were also

read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to increase the capital stock of the Lockport and Niagara Falls Rail-Road Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on rail-roads.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Firemen's Benevolent Association of Buffalo;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the eighth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend the charter of the village of Seneca-Falls;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and

villages.

Ordered, That the committee on the judiciary be discharged from the further consideration of the petition of John I. Palmer, of the city of New-York, to confirm his title to certain lands in St. Lawrence county, derived through an alien, and that the same be referred to the Commissioners of the Land-Office.

Mr. Edwards moved the following resolution:

Resolved, (if the Assembly concur,) That the Canal Commissioners be directed to collect all such sums of money as have been secured to be paid to the people of this State as an inducement to the said commissioners for varying or altering the line of the Chenango canal from the line or direction they would have laid the same, had not such sums been offered and agreed to be paid; and also all such sums as have been secured to be paid for changing the direction and termination of the said canal.

Ordered, That the said resolution be laid on the table.
Ordered, That the bill entitled "An act to regulate the distribution of bank stock," as reported by the committee of the whole, be printed.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate the Penn-Yan Manufacturing Company," and that the same be engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to amend an act to incorporate the Galway Academy, passed May 26, 1836," and that the

same be engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to provide for the erection of a new court-house, jail, clerk's and surrogate's offices in the county of Richmond," and that the same be referred to the committee of the whole, when on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping."

Mr. Van Dyck, from the committee on engrossed bills, reported as correctly engrossed, two several bills, of the following titles, to wit:

"An act to amend the law relating to limited partnerships:"

"An act authorizing the purchase of a dwelling-house for the Goverpor of this State:"

Thereupon,

The said engrossed bill, entitled "An act to amend the law relating

to limited partnerships," was read the third time and passed.

The said engrossed bill, entitled "An act authorizing the purchase of a dwelling-house for the Governor of this State," was read the third

Mr. President put the question on the final passage of the said bill,

and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. J. P. Jones	Mr. Maison
Mr. Dickinson	Mr. Lawyer	Mr. Paige
Mr. Downing	Mr. Livingston	Mr. Powera
Mr. Hunter	Mr. McLean	Mr. Spraker
Mr. Huntington	Mr. Mack	Mr. Van Dyck
Mr Johnson		

FOR THE NEGATIVE.

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Mr. Armstrong	Mr. Sterling	Mr. Willes
Mr. Edwards	Mr. Tallmadge	Mr. Works
Mr. Lacy	Mr. Tracy	Mr. Young
Mr. Loomis	Mr Wager	

Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Buffalo Law Library Association," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Sterling
Mr. L. Beardsley	Mr. Lacy	Mr. Tallmadge
Mr. Beckwith	Mr. Lawyer	Mr. Tracy
Mr. Dickinson	Mr. McLean	Mr. Van Dyck
Mr. Downing	Mr. Mack	Mr. Wager
Mr. Edwards	Mr. Maison	Mr. Willes
Mr. Hunter	Mr. Paige	Mr. Works
Mr. Huntington	Mr. Powers	Mr. Young
Mr. Johnson	Mr. Språker	•

The bill from the Assembly, entitled "An act to incorporate the Cayuga County Mutual Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Spraker	
Mr. L. Beardsley	Mr. Lacy	Mr. Sterling	
Mr. Beckwith	Mr. Lawyer	Mr. Tallmadge	
Mr. Dickinson	Mr. Livingston	Mr. Tracy	
Mr. Downing	Mr. McLean	Mr. Van Dyck	
Mr. Edwards	Mr. Mack	Mr. Wager	
Mr. Hunter	Mr. Maison	Mr. Willes	
Mr. Huntington	Mr. Paige	Mr. Works	
Mr. Johnson	Mr. Powers	Mr. Young	2

The bill from the Assembly, entitled "An act to divide the town of Napoli, in the county of Cattaraugus," was read the third time and reseed.

The bill from the Assembly, entitled "An act to authorize the board of supervisors of the county of Monroe, to sell and convey the poorhouse and farm belonging to said county, and to invest the proceeds thereof," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment

The bill from the Assembly, entitled "An act to amend the third section of an act regulating suits on bills of exchange and promissory notes, passed April 25, 1832," with the engrossed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act authorizing the appointment of a supreme court commissioner, to reside in the village of Syracuse, in the county of Onondaga," was read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the negative.

Thereupon,

Resolved, That the said bill be rejected.

Ordered, That the clerk deliver said bill and a copy of said resolu-

tion to the Assembly.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to provide for the erection of a new court-house, jail, clerk's and surrogate's offices in the county of Richmond;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from the said committee, reported progress, and asked for and obtained

leave to sit again.

Mr. Young, from the committee on literature, to whom was referred the petition of the trustees of the Vernon Academy, brought in a bill, entitled "An act to incorporate the Vernon Academy;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Young, from the committee on literature, reported with amendments, the bill from the Assembly, entitled "An act concerning common schools, and the office of superintendent thereof;" which was com-

mitted to a committee of the whole.

A communication from the Governor, delivered by his private secretary, was read as follows, to wit:

TO THE LEGISLATURE.

I have received information that the Hon. JOSEPH C. YATES, late Governor of this State, died at his residence in the city of Schenectady yesterday afternoon. Considering the public services he has rendered the State, and the important official stations he has occupied, I have deemed it proper to communicate this mournful intelligence to the Legislature.

In compliance with the request of the relatives of the deceased, I respectfully invite the members of the Legislature to attend the funeral to-morrow at 2 o'clock in the afternoon, in the city of Schenectady.

W. L. MARCY.

Albany, March 20, 1837.

Thereupon, The Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M.—MARCH 21, 1837.

The Senate met pursuant to adjournment.

Mr. Beckwith presented a remonstrance of inhabitants of the town of Lenox, against a division of said town; which was read, and referred to the committee on the division of towns and counties.

Mr. Maison presented the memorial of the trustees of Poughkeepeie, in relation to the fire limits in that village; which was read, and refer-

red to the committee on the incorporation of cities and villages.

Mr. Beckwith presented the petition of the supervisors of the town of Stockbridge, for the correction of an error in the act for the erection of said town; which was read, and referred to the committee on the division of towns and counties.

Mr. Hunter presented the petition of inhabitants of Westchester, to revive an act to incorporate the Westchester and Putnam Insurance Company, passed May 6, 1835; which was read, and referred to the

committee on banks and insurance companies.

Mr. Willes, from the committee on roads and bridges, reported against the bill from the Assembly, entitled "An act to amend the act incorporating the New-York and Willamsburgh Ferry Company;" which was committed to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, reported without expressing any opinion thereon, the bill from the Assembly, entitled "An act to incorporate the Peck-slip and Williamsburgh Ferry Com-

pany;" which was committed to a committee of the whole.

Mr. Tracy, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Firemen's Benevolent Association of Buffalo;" which was agreed to by the Scnate, and the bill ordered to a third reading.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Clinton and Utica M'Adam Turnpike Company;" which

was committed to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, reported with amendments, the bill from the Assembly, entitled "An act further to amend an act in relation to the president, directors and first company of the Northern Turnpike Road;" which was committed to a committee of the whole.

Mr. Mack, from the committee on rail-roads, reported without amendment, the bill from the Assembly, entitled "An act to increase the capital stock of the Lockport and Niagara Falls Rail-Road Company;" which was agreed to by the Senate, and the bill ordered to a third reading.

A report of the Commissioners of the Land-Office, on the petition of the Auburn and Syracuse Rail-Road Company, was received and read.

[See Senate Document No. 56.]

Ordered, That the said report be referred to the committee on rail-roads.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the Harmony Manufacturing Company to extend their capital;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Firemen's Benevolent Association of Rochester;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act relative to the duties of town officers in the town of Duanesburgh, county of Schenectady;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Four several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the

following titles, to wit:

"An act to incorporate a fire company in Union village, Washing-

ton county:"

"An act to amend an act authorizing the appointment of commissioners to lay out streets, avenues and squares in the city of Brooklyn, paseed April 23, 1835:"

"An act to incorporate the Schenectady Young Ladies' Seminary:" "An act to incorporate the Schenectady Lyceum and Academy:"

Which were presented to his excellency the Governor by the clerk.

The bill entitled "An act to amend the third section of an act rerulating suits on bills of exchange and promissory notes, passed April 25, 1832," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate the Young Men's Association of the city of Utica," and that the same be engrossed for a third reading.

A copy of sundry resolutions was received from the Assembly, and

read as follows, to wit:

His Excellency the Governor having communicated to this House the afflicting intelligence of the death of JOSEPH C. YATES, of Schenectady, former Governor of this State,

Therefore,

Resolved, (if the Senate concur,) That this Legislature condoles with the bereaved family of the deceased upon the melancholy event thus announced, in which the community mourns the loss of a highly distinguished, upright and patriotic citizen, long and henorably connected with our political and judicial institutions.

Resolved, (if the Senate concur,) That in testimony of their high regard for the memory of the deceased, the members of both Houses of the Legislature will wear the usual badge of mourning during the re-

mainder of the session.

Resolved, (if the Senate concur,) That a committee of two members on the part of the Senate, and of three members on the part of this House, be appointed to attend the funeral of the deceased this day, and to present the foregoing resolutions to his afflicted family.

And in case of concurrence, that Mr. Hackley, Mr. Verplanck and

Mr. Labagh, he of the said committee on the part of this House.

Thereupon,

Resolved, That the Senate do concur in said resolutions; and that Mr. McLean and Mr. Tallmadge, be of the said committee on the part of the Senate.

Ordered, That the clerk deliver said resolution of concurrence to the

Assembly.

Mr. J. P. Jones moved the following resolution:

Resolved, That the interest of education will be essentially promoted by the distribution of the income of the surplus revenues, in such manner as to induce correspondent contribution, to an equal extent in addition thereto, by those who receive the benefits of such distribution.

Ordered. That said resolution be laid on the table.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, three several bills, of the following titles, to wit:

"An act to incorporate the Penn-Yan Manufacturing Company:"

"An act to amend an act to incorporate the Galway Academy, passed May 26, 1836:"

"An act to incorporate the Great Au Sable Rail-Road Company."

Thereupon,

The said engrossed bill, entitled "An act to incorporate the Penn-Yan Manufacturing Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Sterling
Mr. L. Beardsley	Mr. Lawyer	Mr. Talimadge
Mr. Beckwith	Mr. Livingston	Mr. Tracy
Mr. Dickinson	Mr. Loomis	Mr. Van Dyck
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Huntington	Mr. Maison	Mr. Works
Mr. Johnson	Mr. Powers	Mr. Young
SE T D T	3.6 C 1	

Mr. J. P. Jones Mr. Spraker

The said engrossed bill, entitled "An act to amend an act to incorporate the Galway Academy, passed May 26, 1836," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Sterling
Mr. L. Beardsley	Mr. Lawyer	Mr. Tallmadge
Mr. Beckwith	Mr. Livingston	Mr. Tracy
Mr. Dickinson	Mr. Loomis	Mr. Van Dyck
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Huntington	Mr. Powers	Mr. Young
Mr. J. P. Jones	Mr. Spraker	-

The said engrossed bill, entitled "An act to incorporate the Great Au Sable Rail-Road Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Spraker	
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Sterling	
Mr. Beckwith	Mr. Lacy	Mr. Tallmadge	
Mr. Dickinson	Mr. Livingston	Mr. Tracy	
Mr. Downing	Mr. McLean	Mr. Van Dyck	
Mr. Edwards	Mr. Mack	Mr. Wager	
Mr. Hunter	Mr. Maison	Mr. Willes	
Mr. Huntington	Mr. Powers	Mr. Works	24

FOR THE NEGATIVE.

Mr. Loomis Mr. Young	2
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Ordered, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to provide for the erection of a new court-house, jail, clerk's and surrogate's offices in the coun-

ty of Richmond," was read the third time and passed.

The bill from the Assembly, entitled "An act to increase the capital stock of the Lockport and Niagara Falls Rail-Road Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Powers	•
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Spraker	
Mr. Beckwith	Mr. Lacy	Mr. Sterling	
Mr. Dickinson	Mr. Lawyer	Mr. Tracy	
Mr. Downing	Mr. Livingston	Mr. Van Dyck	
Mr. Edwards	Mr. Loomis	Mr. Wager	
Mr. Hunter	Mr. Mack	Mr. Willes	
Mr. Huntington	Mr. Maison	Mr. Works	24

FOR THE NEGATIVE.

Mr. Young

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The bill from the Assembly, entitled "An act to incorporate the Firemen's Benevolent Association of Buffalo," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Spraker	
Mr. L. Beardsley	Mr. Lacy	Mr. Sterling	
Mr. Beckwith	Mr. Lawyer	Mr. Tracy	
Mr. Dickinson	Mr. Livingston	Mr. Van Dyck	
Mr. Downing	Mr. Loomis	Mr. Wager	
Mr. Edwards	Mr. Mack	Mr. Willes	
Mr. Hunter	Mr. Maison	Mr. Works	
Mr. Huntington	Mr. Powers	Mr. Young	24

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then resolved itself into a committee of the whole, on the bill, entitled "An act relative to the county courts and jails in Oneida county;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sterling, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on a certain resolution to amend the Constitution relative to the judiciary; and after some time spent thereon, Mr. President resumed the chair, and Mr. Sterling, from the said committee, reported the same with

amendments, as follows, to wit:

Resolved, (if the Assembly concur,) That the following amendments to the Constitution of this State be proposed and referred to the Legislature next to be chosen, and that the Secretary of State cause the same to be published for three months previous to the next annual election, in pursuance of the provisions of the first section of the eighth article of the Constitution:

1st. There shall be appointed two justices of the supreme court, in addition to the present number, in the same manner the justices of that court are now appointed, each of whom shall be members of the said court, and possess all the powers of a justice thereof.

2d. So much of the Constitution as is inconsistent with these provi-

sions is hereby annulled.

Which were agreed to by the Senate, and the resolution ordered to

be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act authorizing the appointment of commissioners to digest and report a judicial and equity system for the state of

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New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sterling, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M.-MARCH 22, 1837.

The Senate met pursuant to adjournment.

Mr. Edwards presented the proceedings of a meeting of sundry inhabitants of the county of Onondaga, held at the village of Syracuse, on the 18th day of March instant, relative to a general banking law and the usury laws; which was read, and referred to the committee of the whole, when on the bill, entitled "An act to authorize associations for the purpose of banking," and the bill on the subject of usury.

Mr. Lawyer presented the petition of sundry inhabitants of Schoharie county, for a loan to the Canajoharie and Catskill Rail-Road Company; which was read, and referred to the committee on rail-roads.

Mr. Spraker presented a remonstrance from the town of Root, in the county of Montgomery, against the passage of a law allowing the Utica and Schenectady Rail-Road Company to carry freight; which was read, and referred to the committee of the whole when on the bill onthat subject.

Mr. Maison presented the petition of sundry inhabitants of Milton, in the county of Ulster, praying to be incorporated into a village; which was read, and referred to the committee on the incorporation of cities

and villages.

Mr. Mack presented the petition of a majority of the supervisors in Chenango county, elected in February and March, 1837, for the passage of an act to authorize them to erect a new court-house on its present site in said county; which was read, and referred to a select committee, consisting of the senators attending the Senate from the sixth senate district.

Mr. Mack presented the remonstrance of sundry inhabitants of Dryden, against annexing a part of that town to Groton; which was read, and referred to the committee on the division of towns and counties.

Mr. L. Beardsley presented a petition from sundry inhabitants of Plainfield, Otsego county, for a law legalizing and confirming the election of town officers in said town; which was read, and referred to the

committee on the judiciary.

Mr. Downing presented the petition of the trustees of school district number six, in the city of Brooklyn, for the confirmation of their acts, and likewise the proceedings of inhabitants of said district upon the same subject; which were read, and referred to the committee on the judiciary. Mr. Maison, from the committee on the judiciary, to whom was referred the memorial from sundry inhabitants of Kings county, brought in a bill, entitled "An act to promote the administration of justice in the county of Kings;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be

engrossed for a third reading.

Mr. Mack, from the committee on rail-roads, to whom was referred the petition for an act incorporating a company to construct a rail-road from Rome to Port-Ontario, Oswego county, brought in a bill, entitled "An act to provide for the construction of a rail-road from Rome, in the county of Oneida, to Port-Ontario, in the county of Oswego;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. L. Beardsley, from the committee on finance, reported with amendments, the bill from the Assembly, entitled "An act to authorize the purchase of lands for salt manufacturing purposes, in the town of Salina;" which was agreed to by the Senate, the amendments ordered

to be engrossed, and the bill to a third reading.

Mr. Van Dyck, from the select committee to which was referred the bill, entitled "An act to provide for the construction of the Goshen and New-Jersey rail-road," and the bill, entitled "An act to provide for the construction of a rail-road from the village of Warwick to the New-York and Eric rail-road," reported the same without amendment; which was agreed to by the Senate, and the bills ordered to be engrossed for a third reading.

A bill was received from the Assembly for concurrence, entitled "An act for the preservation of health;" which was read the first time, and by unanimous consent was also read a second time, and ordered to a

third reading.

A bill was received from the Assembly for concurrence; entitled "An act to repeal an act entitled 'An act to subject certain debts owing to non-residents to taxation;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Neatmoose Turnpike Company;" which was read the first time, and by unanimous consent was also read a second time,

and referred to the committee on roads and bridges.

The bill entitled "An act amending the act relative to the Bank fund, passed April 29, 1833," was returned by the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

Ordered, That the committee of the whole be discharged from the Arther consideration of the bill, entitled "An act to authorize the trustees of the village of Geddes, to appoint a wood inspector," and that it

be ordered to a third reading.

Ordered, That the resolution yesterday offered by Mr. J. P. Jones, be referred to the committee of the whole, when on the bill entitled "An act to appropriate the income arising from the investment of contain moneys belonging to the United States, and deposited with the state of New-York for safe keeping."

Mr. Van Dyck, from the committee on engrossed bills, reported as correctly engrossed, two several bills, of the following titles, to wit:

"An act to incorporate the Utien Young Men's Association:"

"An act relative to the county courts and jails in Oneida county."

Thereupon,

The said engrossed bill, entitled "An act to incorporate the Utica Young Men's Association," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Spraker
Mr. L. Beardsley	Mr. Lacy	Mr. Tallmadge
Mr. Dickinson	Mr. Lawyer	Mr. Tracy
Mr. Downing	Mr. Loomis	Mr. Van Dyck
Mr. Edwards	Mr. McLean	Mr. Wager
Mr. Hunter	Mr. Mack	Mr. Willes
Mr. Huntington	Mr. Maison	Mr. Works
Mr. Johnson	Mr. Powers	

The said engrossed bill, entitled "An act relative to the county courts and jails in Oneida county," was read the third time and passed.

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The engrossed bill, entitled "An act authorizing the appointment of a supreme court commissioner, to reside in the town of Sangersfield, in the county of Oneida," was read the third time.

Mr. President put the question on the final passage of the said bill,

and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Huntington	Mr. Maison
Mr. L. Beardsley	Mr. Johnson	Mr. Powers
Mr. Beckwith	Mr. J. P. Jones	Mr. Spraker
Mr. Dickinson	Mr. Lawyer	Mr. Sterling
Mr. Downing	Mr. Mack	Mr. Wager
Mr. Hunter		•

FOR THE NEGATIVE.

Mr. Lacy	Mr. Tallmadge	Mr. Willes	
Mr. McLean	Mr. Tracy	Mr. Works	
Mr. Paige	Mr. Van Dyck	•	8

Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to authorize the trustees of the village of Geddes, to appoint a wood inspector," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Beckwith	Mr. Loomis	Mr. Tallmadge
Mr. Dickinson	Mr. McLean	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Edwards	Mr. Maison	Mr. Wager
Mr. Hunter	Mr. Paige	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Works
Mr. J. P. Jones		

25

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act authorizing the appointment of commissioners to digest and report a judicial and equity system for the state of New-York;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Sterling, from the said committee, reported the same with amendments; which was read as follows, to wit:

An Act authorizing the appointment of commissioners to digest and report a judicial and equity system for the state of New-York.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

• 1. The governor, with the consent of the senate, is hereby authorized and directed to appoint a commission of three fit and proper persons, whose duty it shall be to digest and report to the next legislature a judicial and equity system, which shall be in their opinion adequate to the disposing of all matters and causes which may be presented for decision in the different courts of law and equity in this state.

§ 2. It shall be the duty of the said commissioners to report to the legislature such changes and improvements in the laws and rules regulating the practice and proceedings in the several courts of this state, and the costs of such proceedings, as in their opinion shall diminish the delay and expense of litigation, and produce greater brevity and simplicity in the pleadings and proceedings in the said courts.

§ 3. The governor shall direct the payment to each of said commissioners, such sum as he shall deem a fair compensation for their services,

to be paid by the treasurer on the warrant of the comptroller.

§ 4. This act shall take effect from its passage.

Mr. Tallmadge made a motion to amend said report, by striking out the first section of said report, and inserting a section as the following:

"That a special committee shall be appointed, who shall prepare and present to the senate at the next session of the legislature, a system for

the reorganization of the courts of law and equity of the state of New-York."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Maison	
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Powers	
Mr. Beckwith	Mr. Lacy	Mr. Spraker	
Mr. Downing	Mr. Lawyer	Mr. Sterling	
Mr. Edwards	Mr. Loomis	Mr. Tracy	
Mr. Hunter	Mr. McLean	Mr. Wager	
Mr. Huntington	Mr. Mack	Mr. Willes	21

FOR THE AFFIRMATIVE.

Mr. Dickinson	Mr. Tallmadge	Mr. Young	
Mr. Paige	Mr. Works	5	j

Mr. Edwards moved to amend said report, by striking out the three first sections thereof, and inserting the following:

"§ 1. It shall be the duty of the judges of the supreme court and chancellor, to digest and report to the next legislature, such a judicial and equity system as will, in their opinion, cheapen and simplify the practice and proceedings in the supreme court and in the court of chancery; and they shall also report such changes and improvements relative to the proceedings in any of the inferior courts, as they may deem expedient."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. L. Beardsley	Mr. Lacy	Mr. Sterling	
Mr. Beckwith	Mr. Lawyer	Mr. Tracy	
Mr. Downing	Mr. McLean	Mr. Wager	
Mr. Hunter	Mr. Mack	Mr. Willes	
Mr. Huntington	Mr. Maison	Mr. Works	
Mr. Johnson	Mr. Powers	Mr. Young	
Mr. J. P. Jones	Mr. Spraker	•	20

FOR THE APPIRMATIVE.

Mr. Armstrong	Mr. Edwards	Mr. Paige	
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge	6

Mr. President put the question on agreeing to said report, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Beckwith	Mr. Loomis	Mr. Sterling
Mr. Downing	Mr. Mack	Mr. Tracy
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Works
Mr. J. P. Jones	Mr. Spraker	Mr. Young
Mr Lacy	•	•

FOR THE NEGATIVE.

16

Mr. Armstrong	Mr. Johnson	Mr. Paige	10
Mr. L. Beardsley	Mr. Lawyer	Mr. Tallmadge	
Mr. Dickinson	Mr. McLean	Mr. Wager	
Mr. Edwards			10

Ordered. That said bill be engrossed for a third reading.

Then the Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M.—MARCH 23, 1837.

The Senate met pursuant to adjournment.

Mr. Sterling presented a preamble and resolutions in relation to the enlargement of the Erie canal, adopted by the trustees of the village of Oswego; which was read, and referred to the committee on canals.

Mr. Spraker presented the petition of sundry inhabitants of the village of Ames, in the county of Montgomery, for the incorporation of an academy in said village, by the name of the Ames Academy; which was read, and referred to the committee on literature.

Mr. Livingston presented the petition of Susan Ogden and Mary Murray, for authority to file the bond mentioned in the act passed April 13, 1826; which was read, and referred to the committee on the judiciary.

Mr. Works presented resolutions of the corporation of the city of Rochester, in favor of expediting the enlargement of the Erie canal; which was read, and referred to the committee on canals.

Mr. Lacy, from the committee on agriculture, to whom was referred the bill from the Assembly, entitled "An act to amend an act entitled 'An act to amend the several acts relating to the taxes on dogs,' passed April 20, 1835," reported against the same; which was committed to a committee of the whole.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act relative to the duties of town officers in the town of Duanesburgh, county of Schenectady;" which was committed to a committee of the whole.

Mr. Loomis, from the committee on manufactures, reported without amendment, the bill from the Assembly, entitled "An act to authorize the Harmony Manufacturing Company to extend their capital;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Mack, from the committee on rail-roads, to whom was referred the petition of the Auburn and Syracuse Rail-Road Company, brought in a bill, entitled "An act to authorize the commissioners of the land-office to sell and convey a portion of the state lands in the town of Salina, for the accommodation of the Auburn and Syracuse Rail-Road Company;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third-reading.

Mr. Armstrong, from the committee on banks and insurance companies, to whom was referred the petition of the Westchester and Putnam Insurance Company, brought in a bill, entitled "An act to revive and amend the act entitled 'An act to incorporate the Westchester and Putnam Insurance Company,' passed May 6, 1835;" which was read the first time, and by unanimous consent was also read a second time, and

ordered to be engrossed for a third reading.

Mr. Downing, from the select committee to which was referred the petition from the mayor and common council of the city of Brooklyn, brought in a bill, entitled "An act further to amend an act entitled 'An act to incorporate the city of Brooklyn, and for other purposes;'" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Mack, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to provide for the building of a new court-house in the county of Chenango;" which was agreed

to by the Senate, and the bill ordered to a third reading.

Mr. Armstrong, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Geneva Hydraulic Company;" which was committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to amend the charter of the Columbian Fire Insurance Company of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the sale of the Montgomery county poor-house, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the fourth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to authorize Ira De Lurgee to change his name;" which was read

the first time, and by unanimous consent was also read a second time,

and referred to the committee on the judiciary.

The bill entitled "An act to amend an act to incorporate the Galway Academy, passed May 26, 1836," was returned by the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act

to incorporate the Schenectady Lyceum and Academy."

Also the bill, entitled "An act to amend an act authorizing the appointment of commissioners to lay out streets, avenues and squares in the city of Brooklyn, passed April 23, 1835."

Also the bill, entitled "An act to incorporate the Schenectady Young

Ladies' Seminary."

Also the bill, entitled "An act to incorporate a fire company in Union village, Washington county."

W. L. MARCY.

Albany, March 22, 1837,

Ordered. That the resolutions to amend the Constitution as to the court of chancery, be engrossed for a third reading.

Mr. Van Dyck, from the committee on engrossed bills, reported as correctly engrossed, four several bills, of the following titles, to wit:

"An act to promote the administration of justice in the county of Kings:"

"An act to provide for the construction of a rail-road from the village

of Goshen to the east line of the state of New-Jersey:"

"An act to provide for the construction of a rail-road from the village of Warwick to the New-York and Erie rail-road:"

"An act authorizing the appointment of commissioners to digest and report a judicial and equity system for the state of New-York."

Mr. Van Dyck also reported as correctly engrossed, the resolution for

an amendment of the Constitution.

Thereupon,

The said engrossed resolution was read the third time, as follows, to wit:

Resolved, (if the Assembly concur,) That the following amendments to the Constitution of this State be proposed and referred to the Legislature next to be chosen, and that the Secretary of State cause the same to be published for three months previous to the next annual election, in pursuance of the provisions of the first section of the eighth article of the Constitution:

1st. There shall be appointed two justices of the supreme court, in addition to the present number, in the same manner the justices of that [Senate Journal.] D 2

court are now appointed, each of whom shall be members of the said court, and possess all the powers of a justice thereof.

2d. So much of the Constitution as is inconsistent with these provi-

sions is hereby annulled.

And it was passed; a majority of the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Huntington	Mr. Maison	
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Paige	
Mr. Dickinson	Mr. Lawyer	Mr. Powers	
Mr. Downing	Mr. Livingston	Mr. Spraker	
Mr. Edwards	Mr. McLean	Mr. Sterling	
Mr. Hunter	Mr. Mack	Mr. Willes	18

FOR THE NEGATIVE.

Mr. Beckwith	Mr. Tracy	Mr. Works	
Mr. Lacy	Mr. Van Dyck	Mr. Young	
Mr. Loomis			7

Ordered, That the clerk deliver a copy of said resolution to the As-

sembly.

The said engressed bill, entitled "An act to provide for the construction of a rail-road from the village of Goshen to the east line of the state of New-Jersey," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. McLean	Mr. Tallmadge
Mr. Edwards	Mr. Mack	Mr. Tracy
Mr. Hunter	Mr. Maison	Mr. Van Dyck
Mr. Huntington	Mr. Paige	Mr. Wager
Mr. J. P. Jones	Mr. Powers	Mr. Works
Mr. Lacv	•	

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Loomis	Mr. Young	
Mr. Beckwith	Mr. Willes	J	

The said engrossed bill, entitled "An act to provide for the construction of a rail-road from the village of Warwick to the New-York and Erie rail-road," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Works
Mr. J. P. Jones	Mr. Powers	

Mr. Willes

FOR THE NEGATIVE.

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Mr. Loon	1911.	AA TITICA	M.	1 oung		4
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The said engrossed bill, entitled "An act authorizing the appointment of commissioners to digest and report a judicial and equity system for the state of New-York," was read the third time and passed.

Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The engrossed bill, entitled "An act to promote the administration of justice in the county of Kings," was read the third time.

Ordered, That the question on the final passage of the said bill be

laid on the table.

The bill from the Assembly, entitled "An act to provide for the building of a new court-house in the county of Chenango," was read the third time and passed.

The bill from the Assembly, entitled "An act to authorize the Harmony Manufacturing Company to extend their capital," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling
Mr. L. Beardsley	Mr. Livingston	Mr. Tallmadge
Mr. Beckwith	Mr. Loomis	Mr. Tracy
Mr. Dickinson	Mr. McLean	Mr. Van Dyck
Mr. Downing	Mr. Mack	Mr. Wager
Mr. Edwards	Mr. Maison	Mr. Willes
Mr. Hunter	Mr. Paige	Mr. Works
Mr. Huntington	Mr. Powers	Mr. Young
Mr. Lacy	Mr. Spraker	•

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to authorize the purchase of lands for salt manufacturing purposes in the town of Salina," with the engrossed amendments, was read the third time.

Mr. President put the question on the final passage of the said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows,

to wit:

POR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Huntington	Mr. Paige
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Powers
Mr. Beckwith	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. McLean	Mr. Tallmadge
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	. •

FOR THE NEGATIVE

Mr. Lacy	•	Mr. Van Dyck	Mr. Works	
Mr. Loomis		Mr. Willes	Mr. Young	8

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then resolved itself into a committee of the whole, on the bill, entitled "An act relative to the Hudson and Mohawk Rail-Road Company," and the bill, entitled "An act to authorize the Hudson and Mohawk Rail Road Company to borrow money;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, on behalf of Mr. Johnson, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M.—MARCH 24, 1837.

The Senate met pursuant to adjournment.

Mr. Tallmadge presented the memorial of the patrons of the Hudson River Agricultural Seminary, for the appropriation of \$1,000 per year, of the income of the surplus revenue, to enable them to sustain a department for the education of teachers of common schools, and for other purposes, in the completion of their plan; which was read, and referred to the committee on literature.

Mr. Paige presented the memorial and resolutions of the common council of the city of Schenectady, in relation to the application of the Mohawk and Hudson Rail-Road Company to abandon the western termination of their road in said city; which were read, and referred to the committee of the whole when on the bill on that subject.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act to authorize Ira De Lurgee to change his name;" which was committed to a com-

mittee of the whole.

Mr. Livingston, from the committee on rail-roads, to whom was referred the memorial of the New-York and Albany Rail-Road Company, brought in a bill, entitled "An act to amend an act entitled 'An act to incorporate the New-York and Albany Rail-Road Company,' passed April 17, 1832, and the act to amend the same, passed May 9, 1836;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. L. Beardsley, from the committee on finance, reported without amendment, the bill from the Assembly, entitled "An act to repeal an act entitled 'An act to subject certain debts owing to non-residents to taxation;" which was referred to the committee of the whole, when on the bill entitled "An act relative to the Mohawk and Hudson Rail-

Road Company."

Mr. Willes, from the committee on roads and bridges, reported with amendments, the bill from the Assembly, entitled "An act declaring a part of the Little Genesee creek a public highway;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. McLean, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act authorizing the sale of the Montgomery county poor-house, and for other purposes;" which was

committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to improve the State road in the county of Warren;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Tioga County Agricultural Society;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on agriculture.

Mr. President put the question on the final passage of the said bill, and it was decided in the affirmative.

The year and mays being moved and seconded, were as follows,

to wit:

POR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Huntington	Mr. Paige
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Powers
Mr. Beckwith	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. McLean	Mr. Tallmadge
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	

FOR THE NEGATIVE

Mr. Lacy	Mr. Van Dyck	Mr. Works	
Mr. Loomis	Mr. Willes	Mr. Young	8

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then resolved itself into a committee of the whole, on the bill, entitled "An act relative to the Hudson and Mohawk Rail-Road Company," and the bill, entitled "An act to authorize the Hudson and Mohawk Rail Road Company to borrow money;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, on behalf of Mr. Johnson, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M.—MARCH 24, 1837.

The Senate met pursuant to adjournment.

Mr. Tallmadge presented the memorial of the patrons of the Hudson River Agricultural Seminary, for the appropriation of \$1,000 per year, of the income of the surplus revenue, to enable them to sustain a department for the education of teachers of common schools, and for other purposes, in the completion of their plan; which was read, and referred to the committee on literature.

Mr. Paige presented the memorial and resolutions of the common council of the city of Schenectady, in relation to the application of the Mohawk and Hudson Rail-Road Company to abandon the western termination of their road in said city; which were read, and referred to

the committee of the whole when on the bill on that subject.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act to authorize Ira De Lurgee to change his name;" which was committed to a com-

mittee of the whole.

Mr. Livingston, from the committee on rail-roads, to whom was referred the memorial of the New-York and Albany Rail-Road Company, brought in a bill, entitled "An act to amend an act entitled 'An act to incorporate the New-York and Albany Rail-Road Company,' passed April 17, 1832, and the act to amend the same, passed May 9, 1836;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. L. Beardsley, from the committee on finance, reported without amendment, the bill from the Assembly, entitled "An act to repeal an act entitled 'An act to subject certain debts owing to non-residents to taxation;" which was referred to the committee of the whole, when on the bill entitled "An act relative to the Mohawk and Hudson Rail-

Road Company."

Mr. Willes, from the committee on roads and bridges, reported with amendments, the bill from the Assembly, entitled "An act declaring a part of the Little Genesee creek a public highway;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. McLean, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act authorizing the sale of the Montgomery county poor-house, and for other purposes;" which was

committed to a committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to improve the State road in the county of Warren;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Tioga County Agricultural Society;" which was read the first time, and by unanimous consent was also read a second

time, and referred to the committee on agriculture.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the supervisors of the county of Schenectady, to raise money for the construction of a clerk's office, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the third senate district.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Dunkirk Academy;" which was read the first time, and by unanimous consent was also read a second time, and re-

ferred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Steuben County Mutual Insurance Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Two several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the

following titles, to wit:

"An act to establish a ferry between Ver Planck's point and Grassy point:"

"An act to establish a ferry from Call's dock to Ver Planck's point:" Which were presented to his excellency the Governor by the clerk.

Ordered, That the bill entitled "An act to authorize associations for the purpose of banking," be made the special order of the day for Monday next.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to repeal an act to provide for a permanent district school in Syracuse," and that the same

be ordered to a third reading.

Mr. Edwards asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to amend the Revised Statutes in relation to the taxation of costs;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Ordered, That the bill, entitled "An act for the licensing and government of the pilots of the port of New-York by the way of Sandy-

Hook," be made the special order of the day for Tuesday next.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to amend an act entitled 'An act to provide for the draining of the Great swamp in the town of Cicero, in the county of Onondaga,' passed January 21, 1836," and that the same be engreesed for a third reading.

Mr. Huntington, from the committee on engrossed bills, reported as

correctly engrossed, two several bills, of the following titles, to wit:

"An act to authorize the commissioners of the land-office to sell and convey a portion of the State lands in the town of Salina, for the accommodation of the Auburn and Syracuse Rail-Road Company:"

"An act to revive and amend the act entitled 'An act to incorporate the Westchester and Putnam Insurance Company,' passed May 6, 1836."

Mr. Huntington also reported as correctly engressed, the resolution to amend the Constitution.

Thereupon,

The said engrossed bill, entitled "An act to revive and amend the act entitled 'An act to incorporate the Westchester and Putnam Insurance Company,' passed May 6, 1836," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Powers
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Beckwith	Mr. Livingston	
Mr. Dickinson	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Huntington	Mr. Paige	Mr. Young
Mr. Johnson		1

Ordered, That the clerk deliver the said bill to the Assembly, and request their concurrence to the same.

25

The said engrossed resolution to amend the Constitution, was read

the third time, in the words following, to wit:

Resolved, (if the Assembly concur,) That the following amendments to the Constitution of this State be proposed and referred to the Legislature next to be chosen, and that the Secretary of State cause the same to be published for three months previous to the next annual election, in pursuance of the provisions of the first section of the eighth article of the Constitution:

1st. The Legislature may reorganize the Court of Chancery: it may reduce the number of circuit judges, and may authorize the appointment of one or more additional vice-chancellors, but the whole number shall not exceed four; and when the number of circuit judges are once fixed by law, such number shall not thereafter be reduced. It may define and regulate the powers and duties of the chancellor and vice-chancellors and the right of appeal to a court of chancery, consisting of the chancellor and at least two vice-chancellors, or to the chancellor; and it may also regulate appeals from the court of chancery to the court for the trial of impeachments and the correction of errors; and make such provisions by law, as it may deem necessary, for the reorganization of the said courts and the regulation thereof.

2d. The vice-chancellors shall be members of the court for the trial of impeachments and the correction of errors, in the same manner the chancellor now is, and shall be subject to the same tenure of office,

and be liable in like manner to impeachment.

3d. So much of the Constitution as is inconsistent with these provi-

sions, is hereby annulled.

Mr. President put the question on agreeing to said resolution, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Livingston	Mr. Tallmadge	
Mr. Beckwith	Mr. Loomis	Mr. Tracy	
Mr. Downing	Mr. Mack	Mr. Van Dyck	
Mr. Hunter	Mr. Maison	Mr. Works	
Mr. Huntington	Mr. Paige	Mr. Young	
Mr. Lacy	Mr. Powers	•	17

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. Johnson		Mr. Spraker	
Mr. Dickinson	Mr. Lawyer		Mr. Sterling	
Mr. Edwards	Mr. McLean	•	Mr. Willes	9

The bill from the Assembly, entitled "An act declaring a part of Little Genesee creek a public highway," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the Hudson and Berkshire Rail-Road Company,' passed April 26, 1836," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker
Mr. Beckwith	Mr. Lawyer	Mr. Sterling
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Van Dyck
Mr. Hunter	Mr. Mack	Mr. Willes
Mr. Huntington	Mr. Maison	Mr. Works
Mr. Johnson	Mr. Paige	

FOR THE NEGATIVE.

Mr. Young

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act relative to the Mohawk and Hudson Rail-Road Company;" the bill entitled "An act to authorize the Mohawk and Hudson Rail-Road Company to borrow money;" the bill entitled "An act to appropriate the income arising from the investment of cer-

tain moneys belonging to the United States, and deposited with the state of New-York for safe keeping," and the bill from the Assembly, entitled "An act to repeal an act entitled 'An act to subject certain debts owing to non-residents to taxation;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M.—MARCH 25, 1837.

The Senate met pursuant to adjournment.

Mr. Beckwith presented three several remonstrances of sundry inhabitants of the town of Verona, against a division of said town; which were read, and referred to the committee of the whole, when on the bill entitled "An act for the erection of the town of Oneida."

Mr. Works presented two several memorials of sundry inhabitants of western counties, in favor of the construction of the Conewango canal;

which were read, and referred to the committee on canals.

Mr. Sterling, from the select committee to which was referred the petition of sundry citizens of Port-Ontario, brought in a bill, entitled "An act to incorporate the Port-Ontario Hydraulic Canal Company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to improve the State road in the county of Warren;" which was agreed to

by the Senate, and the bill ordered to a third reading.

Mr. Edwards, from the committee on the judiciary, to whom was referred the petition of the trustees of school district number six, in the city of Brooklyn, praying for the confirmation of their acts, brought in a bill, entitled "An act relative to school district number six, in the city of Brooklyn;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

A message from his excellency the Governor, delivered by-his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "As act amending the act relative to the Bank fund, passed April 29, 1833."

[SENATE JOURNAL.]

Also the bill entitled "An act to amend an act to incorporate the Gelway Academy, passed May 26, 1836."

W. L. MARCY.

Albany, March 24, 1837.

A report from the Commissioners of the Land-Office, on the petition of John I. Palmer, was received and read.

[See Senate Document No. 57.]

Ordered. That the said report be referred to the committee on the

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate the United States Insurance Company of the city of New-York," and that

the same be ordered to a third reading.

The bill entitled "An act to authorize the purchase of lands for salt manufacturing purposes, in the town of Salina," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accord-

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

Two several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act authorizing the purchase of a dwelling-house for the Go-

vernor of this State:"

"An act to incorporate the Utica Young Men's Association:"

Which were presented to his excellency the Governor by the clerk.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Orphan Asylum of St. John's church in the city of Utica;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to incorporate the Lenox Basin and Chenango Canal Turnpike Company:"

"An act to amend the act entitled 'An act to incorporate the Buffalo and Williamsville McAdam Road Company,' passed May 3, 1836:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

Two several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to incorporate the Yates County Mutual Insurance Company:"

"An act to incorporate the Glen Cove Mutual Insurance Company:" Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on banks and insurance companies.

Three several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to amend an act entitled 'An act to regulate the taxation of the accounts of district attorneys,' passed May 11, 1835;"

"An act for the relief of Hugh Johnston, Alexander Johnston and Johnston:"

"An act for the relief of Thomas Shaw, a resident alien:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

Mr. Van Dyck, from the committee on engrossed bills, reported as correctly engrossed, two several bills, of the following titles, to wit:

"An act to amend an act entitled 'An act to incorporate the New-York and Albany Rail-Road Company,' passed April 17, 1832, and the act to amend the same, passed May 9, 1836:"

"An act to amend an act entitled 'An act to provide for the draining of the Great swamp in the town of Cicero, in the county of Onon-daga,' passed January 21, 1836."

Thereupon,

The said engrossed bill, entitled "An act to amend an act entitled 'An act to provide for the draining of the Great swamp in the town of Cicero, in the county of Onondaga,' passed January 21, 1836," was read the third time and passed.

Ordered, That the clerk deliver said bill to the Assembly, and re-

quest their concurrence to the same.

The said engrossed bill, entitled "An act to amend an act entitled 'An act to incorporate the New-York and Albany Rail-Road Company,' passed April 17, 1832, and the act to amend the same, passed May 9, 1836," was read the third time.

Ordered, That the question on the final passage of the said bill be

laid on the table.

The bill from the Assembly, entitled "An act to improve the State road in the county of Warren," was read the third time and passed.

The bill from the Assembly, entitled "An act to repeal an act to provide for a permanent district school in Syracuse," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

ment

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act relative to the Mohawk and Hudson Rail-Road Company," and the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the state of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to to repeal an act entitled 'An act to subject certain debts owing to non-residents to taxation;" and after some time spent thereon, Mr. President resumed the

chair, and Mr. Spraker, from the said committee, reported the same without amendment.

Mr. Tracy made a motion to amend said report, by inserting a section, as the first section, in the words following, to wit:

"§ 1. The act entitled 'An act to subject certain debts owing to nonresidents to taxation, passed April 27, 1833, is hereby so amended as to exclude all debts from taxation, except such as have been contracted on the sale of real estate and on contracts for such sales."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. L. Beardsley	Mr. Loomis	Mr. Powers	
Mr. Downing	Mr. McLean	Mr. Spraker	
Mr. Hunter	Mr. Mack	Mr. Sterling	15
Mr. Johnson	Mr. Maison	Mr. Van Dyck	
Mr. Livingston	Mr. Paige	Mr. Young	

	FOR THE AFFIRMATIVE.		
Mr. Armstrong Mr. Dickinson Mr. Edwards Mr. Huntington	Mr. J. P. Jones Mr. Lacy Mr. Tallmadge	Mr. Tracy Mr. Willes Mr. Works	10

The Senate agreed to the report of the committee of the whole, and the bill was ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill, entitled "An act to regulate the powers and duties of public administrators and surrogates, relative to the property and effects of foreigners;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Young, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend title six, chapter three, of the first part of the Revised Statutes, relative to the enumeration of the inhabitants of this State;" and after some time spent thereon, Mr. President resumed the chair, and Mr. L. Beardsley, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act limiting the price to be paid for the enlargement of the Erie canal;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Willes, from the said committee, reported the same with amendments; which was laid upon the table.

Then the Senate adjourned until 10 o'clock on Monday morning next.

MONDAY, 10 O'CLOCK, A. M.—MARCH 27, 1837.

The Senate met pursuant to adjournment.

Mr. Powers presented the proceedings of sundry inhabitants of the town of Kinderhook, praying for a general bank law; which was read, and referred to the committee of the whole when on the bill to which it relates.

Mr. Livingston presented the memorial of the mayor, aldermen and commonalty of the city of New-York, for the passage of a law to repeal the provision which restricts the duration of their ordinances to three years; which was read, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

Mr. Livingston presented the memorial of the mayor, aldermen and commonalty of the city of New-York, for a law to alter the map or plan of the city, by widening the fourth avenue north of Thirty-fourth-street, and by laying out a public place or square in the 16th ward, &c.; which was read, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

Mr. Lacy, from the committee on literature, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Tioga County Agricultural Society;" which was agreed to by the Se-

nate, and the bill ordered to a third reading.

Mr. Edwards, from the committee on the judiciary, reported against the bill from the Assembly, entitled "An act for the relief of Hugh Johnston, Alexander Johnston and John Johnston;" which was committed to a committee of the whole.

Mr. Edwards, from the committee on the judiciary, to whom was referred the petition of Susan Ogden and Mary Murray, for authority to file the bond mentioned in the act passed April 13, 1826, brought in a bill, entitled "An act to renew the act entitled 'An act to amend an act entitled 'An act to authorize the erection of a dam across the Genesee river at Mount-Morris," passed April 15, 1829;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, four several bills from the Assembly, of the following titles, to wit:

"An act to amend the charter of the Columbian Fire Insurance Com-

pany of the city of New-York:"

"An act to incorporate the Steuben County Mutual Insurance Company:"

"An act to incorporate the Glen Cove Mutual Insurance Company:"
"An act to incorporate the Yates County Mutual Insurance Com-

pany:"

Which was agreed to by the Senate, and the bills ordered to a third reading.

Mr. Powers, from the committee on public buildings, to whom was referred the report of the commissioners appointed to locate the New-York State Lunatic Asylum, moved the following resolution:

Resolved, That it is inexpedient to appropriate any further sum of money than what is now provided, for the purpose of purchasing a site on which to erect the New-York State Lunatic Asylum; and the commissioners appointed to locate the said site, are directed to proceed as soon as practicable, to the discharge of the duty confided to them, and report to the next Legislature the result of their proceedings in relation to the said site. That the clerk of the Senate furnish to the said commissioners a copy of this resolution.

Ordered, That the said resolution be laid on the table.

Mr. Young, from the committee on literature, to whom was referred the memorial of the patrons of the Hudson River Agricultural Seminary, for the appropriation of \$1,000 per year of the income of the surplus revenue to enable them to sustain a department for the education of teachers of common schools, and for other purposes, in the completion of their plan, reported against the prayer of the memorialists; which was agreed to by the Senate.

Mr. Young, from the committee on literature, to whom was referred the petition of the trustees of the Schoharie Academy, brought in a bill, entitled "An act to incorporate the Schoharie Academy;" which was read the first time, and by unanimous consent was also read a second

time, and committed to a committee of the whole.

Mr. Young, from the committee on literature, to whom was referred the petition of the inhabitants of the village of Ames, in the county of Montgomery, for the incorporation of an academy, to be located in said village, brought in a bill, entitled "An act to incorporate the Ames Academy;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Young, from the committee on literature, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Dunkirk Academy;" which was committed to a committee of the whole.

Mr. Young, from the committee on literature, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Canton Academy;" which was committed to a committee of the whole.

Mr. Sterling asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to incorporate the Salmon River Canal Company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act authorizing the purchase of a dwelling-house for the Governor of this State."

Also the bill, entitled "An act to establish a ferry from Call's dock to Ver Planck's point."

Also the bill, entitled "An act to establish a ferry between Ver Planck's point and Grassy point."

Also the hill, entitled "An act to incorporate the Utica Young Men's Association."

W. L. MARCY.

Albany, March 25, 1837.

Three several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to wit:

"An act to authorize the purchase of land for salt manufacturing purposes, in the town of Salina:"

"An act declaring a part of the Little Genesee creek a public high-

way:"

"An act to amend an act entitled 'An act to incorporate the Hudson and Berkshire Rail-Road Company,' passed April 26, 1832:"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act in addition to an act entitled 'An act for the relief of the Chenango canal contractors,' passed the 16th April, 1836, and the amendment thereto, passed the 25th May, 1836:"

"An act to authorize the mayor and common council of the city of Brooklyn, to construct a canal in said city, from the East river to the

Gowannus bay:"

Which were read the first time, and by unanimous consent were also

read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to annex a part of the town of Mayfield to the town of Hope;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to appoint commissioners to alter and lay out a road from the Dutchess county line to the house of Reuben Lapham in Taghkanic, Columbia county;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Mr. Dickinson asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to incorporate the Greene Rail Road Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on rail-

roads.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate the Vernon Academy," and that the same be engressed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the Lyons Academy," and that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to amend the act entitled 'An act to incorporate the Bristol and Rensselaerville Turnpike Road Company," and that the same be engressed for a third reading.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled "An act relative to school district

number six, in the city of Brooklyn."

Thereupon,

The said engrossed bill was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and

request their concurrence to the same.

The bill from the Assembly, entitled "An act to amend title six of chapter three of the first part of the Revised Statutes, relative to the enumeration of the inhabitants of this State," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the Tioga County Agricultural Society," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker
Mr. Beckwith	Mr. Lawyer	Mr. Sterling
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Van Dyck
Mr. Hunter	Mr. Mack	Mr. Wager
Mr. Huntington	Mr. Maison	Mr. Works
Mr. Johnson	Mr. Paige	

The bill from the Assembly, entitled "An act to incorporate the Yates County Mutual Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. L. Beardsley Mr. Beckwith Mr. Dickinson Mr. Downing Mr. Edwards Mr. Hunter Mr. Huntington Mr. Johnson	Mr. Lacy Mr. Lawyer Mr. Livingston Mr. Loomis Mr. McLean Mr. Mack Mr. Maison Mr. Paige Mr. Powers	Mr. Spraker Mr. Sterling Mr. Tallmadge Mr. Tracy Mr. Van Dyck Mr. Wager Mr. Willes Mr. Works Mr. Young
Mr. Johnson Mr. J. P. Jones		Mr. Young

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The bill from the Assembly, entitled "An act to incorporate the Glen Cove Mutual Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Sterling	
Mr. L. Beardsley	Mr. Lawyer	Mr. Tallmadge	
Mr. Beckwith	Mr. Livingston	Mr. Tracy	
Mr. Dickinson	Mr. Loomis	Mr. Van Dyck	
Mr. Downing	Mr. McLean	Mr. Wager	
Mr. Edwards	Mr. Maison	Mr. Willes	
Mr. Hunter	Mr. Paige	. Mr. Works	
Mr. Johnson	Mr. Powers	Mr. Young	
Mr. J. P. Jones	Mr. Spraker		

The bill from the Assembly, entitled "An act to incorporate the Steuben County Mutual Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Beckwith	Mr. Livingston	Mr. Tallmadge
Mr. Dickinson	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Wa ger
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Powers	Mr. Young
Mr. J. P. Jones		•

The bill from the Assembly, entitled "An act to amend the charter of the Columbian Fire Insurance Company of the city of New-York," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Beckwith	Mr. Livingston	Mr. Tallmadge
Mr. Dickinson		Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Powers	Mr. Young
Mr. J. P. Jones		

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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Sterling
Mr. Beckwith	Mr. Lacy	Mr. Tallmadge
Mr. Dickinson	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Willes
Mr. Edwards	Mr. Spraker	Mr. Works
Mr. Huntington	•	

FOR THE NEGATIVE.

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Mr. L. Beardsley	Mr. Livingston	Mr. Powers	
Mr. Hunter	Mr. McLean	Mr. Van Dyck	
Mr. Johnson	Mr. Maison	Mr. Wager	-
Mr. Lawyer	Mr. Paige	Mr. Young	12

Mr. Young moved to lay the unfinished business on the table, and that the Senate resolve itself into a committee of the whole on the bill entitled "An act to authorize associations for the purpose of banking."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The man and name

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Paige	
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Powers	
Mr. Beckwith	Mr. Lacy	Mr. Spraker	
Mr. Dickinson	Mr. Lawyer	Mr. Tallmadge	
Mr. Downing	Mr. McLean	Mr. Wager	
Mr. Edwards	Mr. Mack	Mr. Willes	
Mr. Hunter	Mr. Maison		20

FOR THE AFFIRMATIVE.

Mr. Huntington	Mr. Sterling	Mr. Works	
Mr. Livingston	Mr. Tracy	Mr. Young	
Mr. Loomis	Mr. Van Dyck	_	8

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to to repeal an act entitled 'An act to subject certain debts owing to non-residents to taxation;" the bill entitled "An act relative to the Mohawk and Hudson Rail-Road Company," and the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the state of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Maison moved the following resolution:

The bill from the Assembly, entitled "An act to incorporate the Lyons Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Spraker	
Mr. L. Beardsley	Mr. Lacy	Mr. Sterling	
Mr. Beckwith	Mr. Lawyer	Mr. Tallmadge	
Mr. Dickinson	Mr. Loomis	Mr. Tracy	
Mr. Downing	Mr. McLean	Mr. Van Dyck	
Mr. Edwards	Mr. Mack	Mr. Wager	
Mr. Hunter	Mr. Maison	Mr. Willes	
Mr. Huntington	Mr. Paige	Mr. Works	
Mr. Johnson	Mr. Powers	Mr. Young	27

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to incorporate the United States Insurance Company of the city of New-York," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Works
Mr. J. P. Jones	Mr. Powers	Mr. Young
Mr. Lacy		•

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

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The bill from the Assembly, entitled "An act to repeal an act entitled 'An act to subject certain debts owing to non-residents to taxation," was read the third time.

Thereupon,

Mr. Tracy moved to recommit the said bill.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Sterling
Mr. Beckwith	Mr. Lacy	Mr. Tallmadge
Mr. Dickinson	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Willes
Mr. Edwards	Mr. Spraker	Mr. Works
Mr. Huntington	•	

FOR THE NEGATIVE.

16

Mr. L. Beardsley	Mr. Livingston	Mr. Powers	
Mr. Hunter	Mr. McLean	Mr. Van Dyck	
Mr. Johnson	Mr. Maison	Mr. Wager	-
Mr. Lawyer	Mr. Paige	Mr. Young	12

Mr. Young moved to lay the unfinished business on the table, and that the Senate resolve itself into a committee of the whole on the bill entitled "An act to authorize associations for the purpose of banking."

Mr. President put the question on agreeing to said motion, and it was

decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Paige	
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Powers	
Mr. Beckwith	Mr. Lacy	Mr. Spraker	
Mr. Dickinson	Mr. Lawyer	Mr. Tallmadge	
Mr. Downing	Mr. McLean	Mr. Wager	
Mr. Edwards	Mr. Mack	Mr. Willes	
Mr. Hunter	Mr. Maison	•	20

FOR THE AFFIRMATIVE.

Mr. Huntington	Mr. Sterling	Mr. Works	•
Mr. Livingston	Mr. Tracy	Mr. Young	
Mr. Loomis	Mr. Van Dyck	_	8

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to to repeal an act entitled 'An act to subject certain debts owing to non-residents to taxation;" the bill entitled "An act relative to the Mohawk and Hudson Rail-Road Company," and the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the state of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Maison moved the following resolution:

dollars of the surplus fund shall be Resolved, That appropriated to the literature fund, for the purpose of educating common

Mr. J. P. Jones moved to amend said resolution, by striking out the words, "to the literature fund."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong Mr. L. Beardsley Mr. Edwards Mr. Johnson Mr. Lawyer	Mr. McLean Mr. Mack Mr. Maison Mr. Paige Mr. Sterling	Mr. Tracy Mr. Van Dyck Mr. Wager Mr. Works Mr. Young
Mr. Livingston	Mr. Tallmadge	

FOR THE AFFIRMATIVE.

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Mr. Dickinson Mr. Downing Mr. Hunter	Mr. J. P. Jones Mr. Lacy	Mr. Leomis Mr. Powers	
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Mr. President then put the question on agreeing to said resolution, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Paige	من ۹
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling	•
Mr. Dickinson	Mr. McLean	Mr. Tallmadge	
Mr. Downing	Mr. Mack	Mr. Wager	
Mr. Huntington	Mr. Maison	Mr. Willes	15

•	FOR THE NEGAT	řive.
Mr. Hunter Mr. J. P. Jones Mr. Lacy Mr. Livingston	Mr. Loemis Mr. Powers Mr. Spraker	Mr. Van Dyck Mr. Works Mr. Young

Then the Senate adjourned until 10 o'clock to-morrow morning

TUESDAY, 10 O'CLOCK, A. M.—MARCH 28, 1837.

The Senate met pursuant to adjournment.

Mr. Maison presented the petition of the trustees and sundry inhabitants of the village of Poughkeepsie, praying a law to widen Mainstreet in that village; which was read, and referred to the committee on the incorporation of cities and villages.

Mr. Loomis presented the memorial and remonstrance of Bayard & Co. against the passage of the act relative to the Cayuga and Seneca canals; which were read, and referred to the committee of the whole

when on the bill on that subject.

Mr. Livingston presented the petition of C. Bolton and others, for amendments to the law for the government of pilots; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Lacy, from the committee on charitable and religious societies, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Orphan Asylum of St. John's church in the city

of Utica;" which was committed to a committee of the whole.

Mr. Johnson, from the committee on the incorporation of cities and villages, to whom was referred the proceedings and resolutions of inhabitants of the village of Ithaca in general meeting, brought in a bill, entitled "An act further to amend the act to incorporate the village of Ithaca;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Edwards, from the committee on the judiciary, reported against the bill from the Assembly, entitled "An act for the relief of Thomas Shaw, a resident alien;" which was committed to a committee of the

whole.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act to regulate the taxation of the accounts of district attorneys,' passed May 11, 1835;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Paige, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act authorizing the supervisors of the county of Schenectady, to raise money for the construction of a clerk's office, and for other purposes;" which was agreed to by the Se-

nate, and the bill ordered to a third reading.

Mr. Livingston, from the select committee to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, brought in a bill, entitled "An act to alter the map or plan of the city of New-York, by establishing a public square or place in the sixteenth ward of said city;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

Mr. Livingston, from the select committee to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, brought in a bill, entitled "An act relative to the ordinances of the common council of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and

the bill ordered to be engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act relative to the Mohawk and Hudson Rail-Road Company," and that the same be referred to a select committee, consisting of the senators attending the Senate from the third senate district.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to amend the act entitled 'An act to incorporate the Saratoga and Schenectady Bridge Company, and for other purposes,'" and that the same be engressed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to amend an act entitled 'An act to incorporate the Florida and Duanesburgh Turnpike Company," and that the same be engressed for a third reading.

The Senate then took up the consideration of the following resolu-

tion of Mr. Powers:

Resolved, That it is inexpedient to appropriate any further sum of money than what is now provided, for the purpose of purchasing a site on which to erect the New-York State Lunatic Asylum; and the commissioners appointed to locate the said site, are directed to proceed as soon as practicable, to the discharge of the duty confided to them, and report to the next Legislature the result of their proceedings in relation to the said site. That the clerk of the Senate furnish to the said commissioners a copy of this resolution.

Mr. Wager moved to amend the said resolution, by inserting, after the word "resolved," in the first line, the words "if the Assembly con-

cur."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong Mr. Beckwith Mr. Downing Mr. Hunter Mr. Johnson Mr. Lacy	Mr. Lawyer Mr. Livingston Mr. Loomis Mr. McLean Mr. Maison Mr. Paige	Mr. Powers Mr. Seger Mr. Spraker Mr. Willes Mr. Young	
Mi. Lacy	Mr. Paige		

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. J. P. Jones	Mr. Tracy	12
Mr. Dickinson	Mr. Mack	Mr. Van Dyck	
Mr. Edwards	Mr. Sterling	Mr. Wager	
Mr. Huntington	Mr. Tallmadge	Mr. Works	
Mi. Hanankwn	wri r sminnadde	MIL. ANOLKS	12

Mr. Wager then moved to amend the said resolution, by inserting, after the word "them," in the fifth line, the following words:

"And that they be requested to locate said site at some point west of the county of Albany, unless the gifts or donations of lands shall render it expedient, in the judgment of the said commissioners, to establish the asylum in any other part of the State."

Mr. President put the question on agreeing to the said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Tallmadge
Mr. L. Beardsley	Mr. Lawyer	Mr. Tracy
Mr. Beckwith	Mr. Loomis	Mr. Wager
Mr. Dickinson	Mr. Mack	Mr. Willes
Mr. Edwards	Mr. Seger	Mr. Works
Mr. Huntington	Mr. Sterling	Mr. Young
Mr. J. P. Jones		19

FOR THE NEGATIVE.

Mr. Downing	Mr. McLean	Mr. Powers	
Mr. Hunter	Mr. Maison	Mr. Spraker	
Mr. Livingston	Mr. Paige	Mr. Van Dyck	9

Thereupon,

Resolved, That it is inexpedient to appropriate any further sum of money than what is now provided, for the purpose of purchasing a site on which to erect the New-York State Lunatic Asylum; and the commissioners appointed to locate the said site, are directed to proceed as soon as practicable to the discharge of the duty confided to them, and that they be requested to locate said site at some point west of the county of Albany, unless the gifts or donations of lands shall render it expedient, in the judgment of the said commissioners, to establish the asylum in any other part of the State, and report to the next Legislature the result of their proceedings in relation to the said site. That the clerk of the Senate furnish to the said commissioners a copy of this resolution.

The Senate took up the consideration of the report of the committee of the whole, on the bill entitled "An act limiting the price to be paid for land taken for the enlargement of the Erie canal," and agreed to the same.

Ordered. That the said bill be engrossed for a third reading.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, three several bills, of the following titles, to wit:

"An act to incorporate the Ames Academy:"
"An act to incorporate the Vernon Academy:"

"An act to amend the act entitled 'An act to incorporate the Bristol and Rensselaerville Turnpike Road Company,' passed March 25, A. D. 1808."

Thereupon,

The said engrossed bill, entitled "An act to amend the act entitled 'An act to incorporate the Bristol and Rensselaerville Turnpike Road Company,' passed March 25, A. D. 1808," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers	
Mr. L. Beardsley	Mr. Lacy	Mr. Seger	
Mr. Beckwith	Mr. Lawyer	Mr. Spraker	
Mr. Dickinson	Mr. Livingston	Mr. Sterling	
Mr. Downing	Mr. Loomis	Mr. Tallmadge	
Mr. Edwards	Mr. McLean	Mr. Tracy	
Mr. Hunter	Mr. Mack	Mr. Wager	•
Mr. Huntington	Mr. Maison	Mr. Willes	
Mr. Johnson	Mr. Paige	Mr. Works	27

FOR THE NEGATIVE.

Mr. Young

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Ordered, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to authorize the corporation of the city of Troy to borrow money for the purposes therein mentioned," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Paige
Mr. L. Beardsley	. Mr. Lacy	Mr. Powers
Mr. Beckwith	Mr. Lawyer	Mr. Seger
Mr. Dickinson	Mr. Livingston	Mr. Sprager
Mr. Downing	Mr. Loomis	Mr. Sterling
Mr. Edwards	Mr. McLean	Mr. Tallmadge
Mr. Hunter	Mr. Mack	Mr. Van Dyck
Mr. Huntington	Mr. Maison	Mr. Wager
Mr. Johnson		

FOR THE NEGATIVE.

Mr. Tracy Mr. Willes	Mr. Works	Mr. Young
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Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to increase the capital stock of the Alexander Classical School," and that

the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act supplemental to an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to combine the same into one act," and that the same be referred to the committee of the whole when on the unfinished business of yesterday.

Then the Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M.-MARCH 29, 1837.

The Senate met pursuant to adjournment.

Mr. Downing presented the petition of John Jackson and others, for the confirmation of the order and decree of the vice-chancellor of the first circuit, relative to the sale of real estate; which was read, and referred to the committee on the judiciary.

Mr. Lawyer presented the petition of sundry inhabitants of Schoharie county, for the Sloansville Bridge Company in the town of Schoharie; which was read, and referred to the committee on roads and

bridges.

Mr. J. P. Jones presented the petition of sundry inhabitants of the county of Sullivan, for the erection of a new town from parts of the towns of Thompson and Mamakating, in said county, by the name of Forrestburgh; which was read, and referred to the committee on the division of towns and counties.

Mr. Edwards presented the petition of Solomon G. Steele, for an amendment of the poor laws; which was read, and referred to the com-

mittee on poor laws.

Mr. Lawyer presented the petition of sundry inhabitants of Schoharie county, for a loan to the Canajoharie and Catskill Rail-Road Company; which was read, and referred to the committee on rail-roads.

Mr. Seger presented the petition and two several remonstrances of sundry inhabitants of Turin, in relation to the passage of a law to confirm the election of certain persons to the office of justice of the peace; which were read, and referred to the committee on the judiciary.

Mr. Paige presented the memorial of the president, directors and company of the Mohawk Bridge Company, against the passage of the bill concerning the Mohawk and Hudson Rail-Road Company; which was

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read, and referred to a select committee, consisting of the senators at-

tending the Senate from the third senate district.

Mr. Willes presented the petition of sundry inhabitants of Chester in the county of Warren, praying for the extension of the Cedar point road; which was read, and referred to the committee on roads and

bridges.

Mr. Dickinson, from the committee on canals, reported without amendment, the bill from the Assembly, entitled "An act in addition to an act entitled 'An act for the rehef of the Chenange canal contractors,' passed the 16th April, 1836, and the amendment thereto, passed the 25th May, 1836;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Buffalo and Williamsville McAdam Road Company,' passed May 3, 1836;" which was agreed

to by the Senate, and the bill ordered to a third reading.

Ordered, That the committee on roads and bridges be discharged from the further consideration of the bill from the Assembly, entitled "An act to appoint commissioners to alter and lay out a road from the Dutchess county line to the house of Reuben Lapham in Taghkanick, Columbia county," and that the same be referred to a select committee, consisting of the senators attending the Senate from the third senate district, to report complete.

Mr. Tallmadge, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to amend title sixteen of chapter twenty, of the first and sixth parts of the Revised Statutes, entitled 'Of the preservation of deer and certain game and animals,' and the act extending the same, passed March 14, 1833;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Powers, from the committee on public buildings, to whom was referred the petition of sundry inhabitants of the county of Onondaga, praying for an amendment of the act authorizing the establishment of the New-York State Lunatic Asylum, reported against the prayer of the petitioners.

Ordered, That said report be laid on the table.

A copy of a resolution was received from the Assembly, and read in

the words following, to wit:

Resolved, (if the Senate concur,) That the surplus waters of the Glen's Falls feeder dam be excepted from the operation of the joint resolution which passed the Legislature in 1831, in relation to the surplus waters of the State; and that the Canal Commissioners are hereby authorized to lease said waters, upon such terms, conditions and limitations as they may think most conducive to the public interest.

Ordered, That the said resolution be referred to the committee on

canals.

The bill entitled "An act altering the name of Andrew Jackson Cooke," was returned by the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Prospect-Ridge Academy;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to authorize John C. Clark to erect a dam across the Chemung river;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the sixth senate district.

A bill was received from the Assembly for concurrence, entitled "An act concerning the dredging machine owned by this State;" which was read the first time, and by unanimous consent was also read a second

time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the raising of money to repair a bridge across the Roundout creek in the town of Marbletown, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the official acts of Henry G. Cotton, a supreme court commissioner;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the

judiciary.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to renew the act entitled 'An act to amend an act entitled 'An act to authorize the erection of a dam across the Genesee river at Mount-Morris,' passed April 15, 1829," and that the same be engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the Orphan Asylum of St. John's church in the city of

Utica," and that the same be ordered to a third reading.

Mr. J. P. Jones moved the following resolution:

Resolved, That the academies in every section of this State, of like endowments and usefulness, ought to be permitted to participate in the income of the literature fund on equal terms; and that it is unjust to exclude those academies which have an investment over \$2,500, and flourishing classical schools, whilst other academies of less than \$1,600 of real and personal property, including library, are and have long been permitted to share in the benefits of that income.

Ordered. That the said resolution be referred to the committee of the

whole when on the bill on that subject.

The bill from the Assembly, entitled "An act in addition to an act entitled 'An act for the relief of the Chenango canal contracters,' passed the 16th April, 1836, and the amendment thereto, passed the 25th May, 1836," was read the third time.

Mr. Sterling moved to lay the question on the final passage of the

said bill on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong Mr. L. Beardsley Mr. Dickinson Mr. Downing Mr. Edwards Mr. Hunter	Mr. Huntington Mr. Livingston Mr. McLean Mr. Mack Mr. Maison	Mr. Paige Mr. Spraker Mr. Tallmadge Mr. Wager Mr. Works	16
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FOR THE AFFIRMATIVE.

Mr. Beckwith	Mr. Lawyer	Mr. Sterling	
Mr. Johnson	Mr. Loomis	Mr. Tracy	
Mr. J. P. Jones	Mr. Powers	Mr. Van Dyck	
Mr. Lacy	Mr. Seger	Mr. Willes	12

Thereupon,

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. L. Beardsley Mr. Dickinson Mr. Downing Mr. Edwards Mr. Hunter	Mr. Huntington Mr. Livingston Mr. McLean Mr. Mack Mr. Maison Mr. Paige	Mr. Powers Mr. Seger Mr. Spraker Mr. Tallmadge Mr. Wager Mr. Works	18
	FOR THE NEGATI	VE.	•

Mr. Beckwith Mr. Johnson Mr. J. P. Jones Mr. Lacy	Mr. Lawyer Mr. Loomis Mr. Sterling	Mr. Tracy Mr. Van Dyck Mr. Willes	10
MIR. LECY	•		10

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, five several bills, of the following titles, to wit:

"An act relative to the ordinances of the common council of the city of New-York:"

"An act regulating the price to be paid for land taken for the enlargement of the Erie canal

"An act to amend an act entitled 'An act to incorporate the Florida and Duanesburgh turnpike road company,' passed May 25, 1836."

"An act to alter the map or plan of the city of New-York, by establishing a public square or place in the sixteenth ward of said city:"

"An act to amend the act entitled 'An act to incorporate the Saratoga and Schenectady Bridge Company,' passed April 2d, 1836, and for other purposes."

Thereupon,

The said engrossed bill, entitled "An act to amend the act entitled 'An act to incorporate the Saratoga and Schenectady Bridge Company,' passed April 2d, 1836, and for other purposes," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Beckwith	Mr. Livingston	Mr. Sterling
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
37 7 70 7	•	

Mr. J. P. Jones

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The said engrossed bill, entitled "An act to alter the map or plan of the city of New-York, by establishing a public square or place in the sixteenth ward of said city," was read the third time and passed.

The said engreesed bill, entitled "An act to amend an act entitled 'An act to incorporate the Florida and Duanesburgh Turnpike Road Company,' passed May 25, 1836," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Beckwith	Mr. McLean	Mr. Tallmadge
Mr. Dickinson	Mr. Maek	Mr. Tracy
Mr. Downing	Mr. Maison	Mr. Van Dyck
Mr. Huntington	Mr. Paige	Mr. Wager
Mr. Johnson	Mr. Powers	Mr. Willes
Mr. J. P. Jones	Mr. Seger	Mr. Works
Mr. Lacy		

The said engrossed bill, entitled "An act regulating the price to be paid for land taken for the enlargement of the Erie canal," was read the third time and passed.

The said engressed bill, entitled "An act relative to the ordinances of the common council of the city of New-York," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger
Mr. L. Beardeley	Mr. Lacy	Mr. Spraker
Mr. Beckwith	Mr. Lawyer	Mr. Sterling
Mr. Dickinson	Mr. Livingston	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works

Mr. Johnson Mr. Powers

The engressed bill, entitled "An act to promote the administration of justice in the county of Kings," was read the third time and passed.

26

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The engrossed bill, entitled "An act to amend an act entitled 'An act to incorporate the New-York and Albany Rail-Road Company, passed April 17, 1832, and the act to amend the same, passed May 9, 1836," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Powers
Mr. L. Beardsley	Mr. Lawyer	Mr. Seger
Mr. Dickinson	Mr. Livingston	Mr. Spraker
Mr. Downing	Mr. Loomis	Mr. Sterling
Mr. Edwards	Mr. McLean	Mr. Tallmadge
Mr. Hunter	Mr. Maok	Mr. Wager
Mr. Huntington	Mr. Maison	Mr. Works
Mr. J. P. Jones	Mr. Paige	

FOR THE NEGATIVE.

Mr. Beckwith	Mr. Tracy	Mr. Willes	
Mr. Johnson	Mr. Van Dyck		5

The engrossed bill, entitled "An act to authorize the commissioners of the land-office to sell and convey a portion of the State lands in the town of Salina, for the accommodation of the Auburn and Syracuse

Rail-Road Company," was read the third time and passed.

The engrossed bill, entitled "An act to incorporate the Vernon Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. L. Beardsley	Mr. Lacy	Mr. Seger
Mr. Beckwith	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Van Dyck
Mr. Hunter	Mr. Mack	Mr. Wager
Mr. Huntington	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Paige	Mr. Works

The engrossed bill, entitled "An act for the preservation of legislative petitions and papers," was read the third time and passed.

Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Buffalo and Williamsville McAdam Road Company,' passed May 3d, 1836," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Seger
Mr. L. Beardsley	Mr. Livingston	Mr. Spraker
Mr. Beckwith	Mr. Loemis	Mr. Sterling
Mr. Dickinson	Mr. McLean	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Willes
Mr. J. P. Jones	Mr. Powers	Mr. Works
Mr. Lacy		

The bill from the Assembly, entitled "An act to increase the capital stock of the Alexander Classical School," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. L. Beardsley	Mr. Lacy	Mr. Seger
Mr. Beckwith	Mr. Livingston	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr Johnson		

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27

The bill from the Assembly, entitled "An act authorizing the supervisors of the county of Schenectady, to raise money for the construction of a clerk's office, and for other purposes," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to regulate the taxation of the accounts of district attorneys,' passed May 11, 1835," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

The bill from the Assembly, entitled "An act to incorporate the Peckslip and Williamsburgh Ferry Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers	
Mr. L. Beardsley	Mr. Lacy	Mr. Seger	
Mr. Dickinson	Mr. Lawyer	Mr. Spraker	
Mr. Downing	Mr. Livingston	Mr. Sterling	
Mr. Edwards	Mr. McLean	Mr. Tallmadge	
Mr. Hunter	Mr. Mack	Mr. Van Dyck	
Mr. Huntington	Mr. Maison	Mr. Wager	
Mr. Johnson	Mr. Paige	Mr. Works	24

FOR THE NEGATIVE.

Mr. Beckwith	Mr. Tracy	Mr. Willes
Mr. Loomis	•	4

The bill from the Assembly, entitled "An act for the preservation of health," with the engrossed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then took up the consideration of the report of the committee of the whole, on the bill entitled "An act to regulate the distribution of bank stock;" which was read in the words following, to wit:

An Act to regulate the distribution of bank stock.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

§ 1. When any corporation having banking powers shall hereafter be created, it shall be the duty of the officer administering the government of this state, to appoint three individuals, not interested in the stock of any bank, and residing out of the county where such bank is to be located, as commissioners to sell the stock of such bank, whose duty it shall be,

1. To take and subscribe the constitutional oath of office:

2. To give three weeks previous notice of the time and place at which the capital stock of such corporation shall be sold. Such notice shall be published in the state paper, and in a newspaper printed in the county in which the office of such corporation is to be located:

3. The commissioners, or a majority of them, shall meet at the time

and place appointed for the sale of the said stock.

§ 2. The stock of all banks which shall hereafter be incorporated, shall be divided into shares of one hundred dollars each, and shall be sold at public auction, in the following manner: On the first day of such sale, the commissioners shall not sell to any one purchaser a greater number than five shares; and the commissioners may in their discretion put up for sale a less number. If the whole stock shall not be so purchased, the sale shall be continued the next day, and the commissioners shall not sell to any one purchaser on said day, more than ten shares; and the commissioners may, in their discretion, put up for sale a less number. If the whole stock should not be so purchased, the sale shall be continued on the next day, and the commissioners shall not sell to any one purchaser more than twenty shares; and the commissioners may, in their discretion, put up for sale a less number, If the whole stock should not be so purchased, the commissioners shall give notice in the manner and for the time, prescribed in the first section of this act, that the residue of said stock will be sold to the highest bidder. On the day so specified in the said notice, the said commissioners shall sell the residue of said stock, in such lots or parcels as they shall direct. No person shall become a purchaser of any of the said stock sold on the said first three days, unless he be an inhabitant or resident of the county in which the bank shall be located.

§ 3. Every purchaser of stock at such sale, shall, immediately on his purchase, pay to the said commissioners, in specie or current bank bills, the premium bid by him, and also ten per cent on the amount of stock by him purchased. In case any purchaser fails to make such payment, the stock struck off to him shall be immediately resold by said commis-

sioners.

- § 4. All premiums obtained on any sale of stock pursuant to this act, and all moneys forfeited as above provided, shall, within fifteen days after the sale as aforesaid is completed, be paid by said commissioners to the treasurer of the county in which the bank shall be located, for the support of the poor of the said county, and to pay the charges of said commissioners.
- is 5. The said commissioners shall, within two weeks after such sale as aforesaid, publish in a newspaper printed in the county where such bank is to be located, a statement of the names of all the purchasers of said stock, with the amount purchased by each, and the names of all persons purchasing stock at such sale as aforesaid, and the premium paid by him; which statement shall be verified by the oath of a majority of said commissioners.
- § 6. No person who shall purchase stock as aforesaid, shall be authorized to make any sale, assignment, transfer, pledge or hypothecation, or contract or agreement therefor, of such stock, until the expiration of

three months from the time the whole capital stock of such corporation shall be paid in, to the satisfaction of one of the bank commissioners, and a certificate of such payment given by such commissioners. And every sale, assignment, transfer, pledge or hypothecation, and contract or agreement therefor, made by any person contrary to the provisions of

this section, shall be utterly void.

§ 7. Before the payment of the last instalment required to be made by the said corporation upon the said stock, or within twenty days thereafter, each stockholder shall furnish to the corporation his affidavit, sworn to before some officer authorized to take affidavits to be read in courts of record, and subsequent to such payment, setting forth that he is the bona fide holder of the stock purchased by him at the sale of the said stock, and has paid for the same with his own moneys; that it is not pledged or hypothecated in any way whatever; that he has not contracted to sell or pledge the whole or any part of it, or consented or agreed to execute any power of attorney to sell or pledge the same; that he does not hold the same, or any part thereof, in trust for any other person, except as guardian for minors; or upon any express, secret or implied trust, confidence or understanding, that he is at any future time to sell, transfer, pledge or dispose of the same in any manner; that he owns no other stock in the said bank, directly or indirectly, and has not contracted to purchase, or had any understanding with any person in reference to the purchase of any other stock in the said bank. false swearing in all or any of the particulars in this section enumerated, is hereby declared to be perjury, and punishable as such, in any court having cognizance of the same.

§ 8. Such affidavits shall be delivered by the officers of the bank to the bank commissioners, or one of them, before their certificate of the

payment of the capital of such bank shall be given.

§ 9. All stock upon which the last instalment shall not be paid as required by law, and which shall not be proven to have been paid in the manner and by the time above mentioned, shall be forfeited, and all previous payments made thereon shall be paid over by the persons in whose hands the same may be, to the treasurer of the county where the bank shall be located, for the use of the poor thereof; and such forfeited shares shall be sold at public auction for cash, and for the benefit of the bank, by the bank commissioners, or one of them, before giving their certificate as aforesaid.

§ 10. Every corporation hereafter created having banking powers, and every act increasing the capital stock of any such corporation, shall

be subject to the provisions of this act.

§ 11. The said commissioners shall be paid each three dollars a day, and their travelling expenses, for their services under this act, for the time they shall be actually employed; which shall be paid by the treasurer of the said county, out of the money in the treasury which has been paid to him under the provisions of this act; and if such moneys are insufficient to pay the charges of the said commissioners, then the said corporation shall pay the same.

Mr. Powers moved to amend said report, by inserting after the word "to," in the fifth line of the first section, the words "distribute and":

and also to insert the following as the 2d, 3d, 4th, 5th, 6th and 7th sections:

u § 2. Every person subscribing for stock in such corporation, shall, at the time of subscribing, pay to the commissioners in specie or current

bank bills, ten per cent on the amount subscribed.

"! 3. If three-fifths of the capital stock is not subscribed within the three first days on which the books of subscription are open, the said commissioners shall open said books at such future time and place, of which like notice shall be given as aforesaid, in the county where the bank is to be located, as they shall deem proper, and keep the same open until three-fifths of the capital stock is subscribed as aforesaid.

"§ 4. When the books of subscription to the capital stock are closed, the said commissioners shall immediately proceed to distribute three-fifths of the capital stock of such corporation among the subscribers thereto, being inhabitants of and residing in the county where the bank shall be located, in such manner as they shall deem for the best interests of the corporation; but no more than twenty-five shares shall be allotted to any person, directly or indirectly, in case three-fifths of the capital stock of such corporation can be distributed among the subscribers, with-

out allotting any greater number of shares to any subscriber.

"\\ 5. The said commissioners, on the day the books of subscription are closed, shall post up in a conspicuous place, a notice in writing signed by a majority of said commissioners, stating the time and place at which the sale of stock at auction, as provided in the next section, will commence. Such notice shall be posted up as aforesaid, at the place where the books of subscription are opened as aforesaid; and all sales of such stock at auction shall be at the place where the subscription books were opened, and shall be between the hours of ten o'clock in the forenoon and three o'clock in the afternoon of each day, until completed.

" § 6. When the distribution of stock as before provided is completed, the said commissioners shall forthwith proceed to sell, pursuant to the notice given by them as before provided, at public auction, to the highest bidder, in parcels of not more than twenty-five shares, the residue of the capital stock of said corporation. No person shall purchase at such auction, directly or indirectly, more than twenty-five shares of such stock; and no person to whom stock shall have been awarded, and no commissioner shall be permitted to purchase, or shall be interested in the

purchase of any of said stock at said sale, directly or indirectly.

"\forall 7. The said commissioners shall, immediately after such sale is closed, ascertain the average premium bid on all the stock so sold; and the subscribers to whom stock has been distributed, shall immediately pay as aforesaid, a premium on the stock awarded to them, equal to the average premium on all the stock sold by the commissioners, and in default of such payment by any such subscriber, he shall forfeit the ten per cent paid by him on subscribing; and the stock awarded to such defaulting subscriber, shall be immediately sold as aforesaid, by said commissioners."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Beckwith Mr. Downing Mr. Edwards Mr. Huntington Mr. Lacy	Mr. Lawyer Mr. Loomis Mr. Maison Mr. Sterling Mr. Tracy	Mr. Van Dyck Mr. Willes Mr. Works Mr. Young	14
Mr. Lacy	Mr. Tracy		14

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. McLean		Mr. Seger	
Mr. L. Beardsley	Mr. Mack		Mr. Spraker	
Mr. Hunter	Mr. Paige		Mr. Tallmadge	
Mr. Johnson	Mr. Powers	•	Mr. Wager	
Mr. J. P. Jones				13

The Senate agreed to the report of the committee of the whole, and the bill was ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to to repeal an act entitled 'An act to subject certain debts owing to non-residents to taxation," and the bill, entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the state of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and

obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act supplemental to an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to combine the same into one act,' passed May 25, 1836;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported the same with amendments.

Ordered, That said report be laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" the bill entitled "An act to amend the Revised Statutes in relation to usury," and the bill entitled "An act for the licensing and government of the pilots of the port of New-York by the way of Sandy-Hook;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M.—MARCH 30, 1837.

The Senate met pursuant to adjournment.

Mr. Livingston presented the petition of Henry Floyd Jones and Helen his wife, to authorize the trustees under their marriage settlement, to sell real estate and invest the proceeds according to the terms of the trust; which was read, and referred to the committee on the judiciary.

Mr. Willes presented the petition of inhabitants of township No. 21,

Mr. Willes presented the petition of inhabitants of township No. 21, Totten and Crossfield's purchase, Hamilton county, for the erection of a new town; which was read, and referred to the committee on the di-

vision of towns and counties.

Mr. Van Dyck presented the petition of the commissioners of highways of the town of Walkill, Orange county, for leave to raise money by tax to build a bridge; which was read, and referred to the committee on roads and bridges.

Mr. Wager presented the petition of sundry inhabitants of Kirkland, Oneida county, for an endowment of the Clinton Liberal Institute; which was read, and referred to the committee of the whole when on

the bill on that subject.

Mr. Edwards presented the proceedings of a meeting at Fayetteville, in favor of a general banking law; which was read, and referred to

the committee of the whole when on the bill on that subject.

Mr. Powers presented the remonstrance of sundry inhabitants of Hillsdale, in the county of Columbia, against the bill authorizing private banking; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Beckwith, from the committee on the division of towns and counties, reported without expressing any opinion thereon, the bill from the Assembly, entitled "An act to annex a part of the town of Mayfield to the town of Hope;" which was committed to a committee of the whole.

Mr. Spraker, from the committee on poor laws, to whom was referred the petition of Solomon G. Steele, for an amendment of the poor laws, reported against the prayer of the petitioner; which was agreed to by the Senate.

Thereupon,

Ordered, That the petitioner have leave to withdraw his petition.

Mr. Edwards, from the committee on the judiciary, to whom was referred the petition of John I. Palmer of the city of New-York, to confirm his title to certain land in St. Lawrence county, derived through an alien, and the report of the Commissioners of the Land-Office thereon, brought in a bill, entitled "An act to confirm the title to a tract of land sold to William Long, in Macomb's purchase, in the county of St. Lawrence;" which was read the first time, and by unanimous consent was also read a second time, and committee to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, reported against the bill from the Assembly, entitled "An act to incorporate the Neatmore Turnpike Company;" which was committed to a committee of the

whole.

Mr. Mack, from a select committee, reported without amendment, the

bill from the Assembly, entitled "An act to authorize John C. Clark to erect a dam across the Chemung river;" which was agreed to by the Senate, and the bill ordered to a third reading.

Two several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the

following titles, to wit:

"An act to amend the law relating to limited partnerships:"

"An act to amend an act entitled 'An act to provide for the draining of the Great swamp in the town of Cicero, in the county of Onondaga,' passed January 21, 1836:"

Which were presented to his excellency the Governor by the clerk.

The bill entitled "An act authorizing a loan of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Ordered, That the said bill and amendments be referred to the joint committee on so much of the Governor's message as relates to the investment and distribution of certain moneys to be received from the General Government.

Three several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to extend the charter of the Union Insurance Company:"
"An act to incorporate the Tioga County Mutual Insurance Com-

pany:"

" An act to amend the charter of the

"An act to amend the charter of the Eighth Ward Mutual Insurance Company in the city of New-York:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on banks and insurance companies.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to incorporate the Albion Academy:"
"An act to incorporate the Knoxville Academy:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on literature.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to divide the town of Hornellsville, in the county of Steuben:"

"An act to divide the town of Erwin, in the county of Steuben:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the erection of a fire proof clerk's office in the county of Wayne;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the seventh senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to appoint commissioners to lay out a road from the village of Bath, in the county of Steuben, by the way of Jerseyville, to the head of Seneca lake;" was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Mary Cook and Sally Cook;" which was read the first time, and by unanimous consent was also read a second time, and

referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act incorporating the village of Johnstown, in the county of Montgomery;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

Mr. Dickinson asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to revive an act entitled 'An act to incorporate the Binghamton and Susquehannah Rail-Road Company;" which was read the first time, and by unanimous consent was also read

a second time, and referred to the committee on rail-roads.

Mr. Dickinson asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to revive an act entitled 'An act to incorporate the Union and Vestal Bridge Company,' passed April 22d, 1831;'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Mr. Van Dyck asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to authorize Peter Tyler McHugh to change his name;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be

engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to enable the trustees of the Seaman's Fund and Retreat, to borrow money from the Passenger's fund," and that the same be referred to a select committee, consisting of the senators attending the Senate from the first senate district, to report complete.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate the Port-Ontario Hydraulic Canal Company," and that the same be en-

grossed for a third reading.

The engrossed bill, entitled "An act to renew the act entitled 'An act to amend an act entitled 'An act to authorize the erection of a dam across the Genesee river at Mount-Morris,' passed April 15, 1829,'" was read the third time and passed.

Ordered, That the clerk deliver said bill to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to incorporate the Orphan Asylum of St. John's church in the city of Utica," with the engressed amendments, was read the third time and passed; two-thirds of

ail the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Beckwith	Mr. Livingston	Mr. Tallmadge
Mr. Dickinson	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Edwards	Mr. Maison	Mr. Wager
Mr. Hunter	Mr. Paige	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Works
Mr. Johnson	Mr. Seger	

FOR THE NEGATIVE.

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Mr. J. P. Jones Mr. Young 2

The bill from the Assembly, entitled "An act supplemental to an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to combine the same into one act,' passed May 25, 1836," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger	
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker	
Mr. Beckwith	Mr. Livingston	Mr. Sterling	
Mr. Dickinson	Mr. McLean	Mr. Tallmadge	
Mr. Downing	Mr. Mack	Mr. Van Dyck	
Mr. Huntington	Mr. Maison	Mr. Wager	
Mr. Johnson	Mr. Paige	Mr. Works	
Mr. J. P. Jones	Mr. Powers		23

FOR THE NEGATIVE.

Mr. Edwards	Mr. Willes	Mr. Young	
Mr. Tracy		-	4

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act to authorize John C. Clark to erect a dam across the Chemung river," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to repeal an act entitled 'An act to subject certain debts owing to non-residents to taxation;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported that they had passed the same without amendment.

Thereupon,

Mr. Tracy moved the following amendment:

"The act entitled 'An act to subject certain debts owing to nonresidents to taxation,' passed April 17, 1833, is hereby so amended so to exclude all debts from taxation except such as have been contracted on the sale of real estate and on contracts for such sales."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. L. Beardsley	Mr. Livingston	Mr. Powers	
Mr. Beckwith	Mr. Loomis	Mr. Spraker	
Mr. Downing	Mr. McLean	Mr. Sterling	
Mr. Hunter	Mr. Mack	Mr. Van Dyck	-
Mr. Johnson	Mr. Maison	Mr. Wager	
Mr. H. F. Jones	Mr. Paige	Mr. Young	
Mr. Lawyer	•	J	19

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Tracy	
Mr. Dickinson	Mr. Lacy	Mr. Willes	
Mr. Edwards	Mr. Seger	Mr. Works	
Mr. Huntington	Mr. Tallmadge		11

Mr. Mack moved the following amendment; add to the first section the following:

"Except such as have accrued on the sales of lands which are a part or parts of tracts or patents of land originally owned by non-resident proprietors, or on contracts for such sales."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. L. Beardsley	Mr. Livingston	Mr. Spraker
Mr. Beckwith	Mr. Loomis	Mr. Sterling

Mr. Hunter Mr. McLean Mr. Johnson Mr. Maison Mr. H. F. Jones Mr. Paige Mr. Lawyer Mr. Powers	Mr. Van Dyck Mr. Wager Mr. Young
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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Tallmadge
Mr. Dickinson	Mr. Lacy	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Willes
Mr. Edwards	Mr. Seger	Mr. Works
Mr. Huntington		

Mr. President then put the question on agreeing to said report, and it was decided in the affirmative; and the bill was ordered to a third

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reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M.—MARCH 31, 1837.

The Senate met pursuant to adjournment.

Mr. Lawyer presented the petition of sundry inhabitants of the county of Schoharie, praying for a toll bridge across the Schoharie creek, at or near Dyckman's ferry; which was read, and referred to the committee on roads and bridges.

Mr. Works presented the petition of sundry citizens of Lockport, for an amendment of their village charter; which was read, and referred

to the committee on the incorporation of cities and villages.

Mr. Seger presented the remonstrance of sundry inhabitants of Turin, in Lewis county, against the passage of a law to confirm the election of certain persons to the office of justice of the peace; which was read, and referred to the committee on the judiciary.

Mr. Dickinson presented the petition of sundry inhabitants of Smyrna, praying for the repeal of the act to lay out a road from Smyrna to Earlville, and accompanying documents; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Seger, from the committee on the incorporation of cities and vil-

lages, reported with amendments, the bill from the Assembly, entitled "An act to amend an act incorporating the village of Johnstown, in the county of Montgomery;" which was committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and villages, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the village of Ellicottville;" which was agreed

to by the Senate, and the bill ordered to a third reading.

Mr. Seger, from the committee on the incorporation of cities and villages, to whom was referred the memorial of the trustees of the village of Poughkeepsie, in relation to the fire limits in that village, brought in a bill, entitled "An act to amend an act to establish fire limits in the village of Poughkeepsie, and for other purposes, passed 26th May, 1836;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of the commissioners of highways of the town of Walkill, Orange county, brought in a bill, entitled "An act to authorize the supervisors of Orange county, to raise meney by tax on the town of Walkill, to build a bridge across the Walkill stream at Phillipsburgh;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Livingston, from the select committee to which was referred, to report complete, the bill entitled "An act to enable the trustees of the Seaman's Fund and Retreat, to borrow money from the Passenger's fund," reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engressed for a third reading.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Tioga County Mutual Insurance Company;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, the bill from the Assembly, entitled "An act to amend the charter of the Eighth Ward Mutual Insurance Company of the city of New-York;" which was agreed to by the Se-

nate, and the bill ordered to a third reading.

Mr. L. Beardsley, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act to confirm the official acts of Henry G. Cotton, a supreme court commissioner;" which was agreed to by the Senate, the amendments ordered to be en-

grossed, and the bill to a third reading.

Mr. Paige, from the select committee to which was referred the bill entitled "An act authorizing a loan of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping," with the amendments of the Assembly thereto, reported that they had agreed to some of the said amendments, disagreed to others, and agreed to some with amendments thereto; which report was agreed to by the Senate.

Thereupon,

Resolved, That the Senate do non-concur, concur, and concur with amendments, in the amendments of the Assembly to the said bill, as they are designated in the margin of said amendments for that purpose.

Ordered, That the clerk deliver said bill and a copy of said resolu-

tion to the Assembly.

Mr. Young, from the committee on literature, reported without amendment, two bills from the Assembly, of the following titles, to wit:

"An act to incorporate the Knoxville Academy:"
"An act to incorporate the Albion Academy:"

Which were committed to a committee of the whole.

Mr. Young, from the committee on literature, reported against the bill from the Assembly, entitled "An act to incorporate the Prospect-Ridge Academy;" which was committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and villages, reported with amendments, the bill from the Assembly, entitled "An act to amend an act to incorporate the village of Medina, in the county of Orleans, passed March 3d, 1832."

Ordered, That the same be laid on the table.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the Fort-Miller Bridge Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of George William Usburne, an alien;" which was read the first time, and by unanimous consent was also read a second

time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Aaron Barnes;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the fifth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the New-York Ophthalmic Dispensary;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act for the destruction of panthers and wolves in the counties of Montgomery, Hamilton and and Saratoga;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the fourth senate district.

Three several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to writ:

"An act to incorporate the United States Insurance Company of the

city of New-York:"

"An act in addition to an act entitled 'An act for the relief of the Chenango canal contractors,' passed the 16th April, 1836, and the amendment thereto, passed the 25th May, 1836:"

"An act to incorporate the Peck-slip and Williamsburgh Ferry Company:"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

The bill entitled "An act to incorporate the Glenville and Rotterdam Bridge Company," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Resolved, That the Senate do concur with the Assembly in all their amendments to the said bill, excepting the one in the 15th section, for striking out the words "and keep a ferry;" two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Beckwith	Mr. Livingston	Mr. Tallmadge
Mr. Dickinson	Mr. McLean	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Paige	Mr. Works
Mr. H. F. Jones	Mr. Powers	Mr. Young
M. I.D. T.	M. G	

Mr. J. P. Jones Mr. Seger

Ordered, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

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Mr. Van Dyck, from the committee on engrossed bills, reported as correctly engrossed, three several bills, of the following titles, to wir:

"An act to regulate the distribution of bank stock:"

"An act to authorize Peter Tyler McHugh to change his name:"
"An act to incorporate the Port-Ontario Hydraulic Canal Company:"

Thereupon,

The said engrossed bill, entitled "An act to incorporate the Port-Ontario Hydraulic Canal Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker
Mr. Beckwith	Mr. Livingston	Mr. Sterling
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Hunter	Mr. Mack	Mr. Van Dyck
Mr. Huntington	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Willes
Mr. H. F. Jones	Mr. Powers	Mr. Works

FOR THE NEGATIVE.

Mr. Young

The said engrossed bill, entitled "An act to authorize Peter Tyler McHugh to change his name," was read the third time and passed.

The said engrossed bill, entitled "An act to regulate the distribution

of bank stock," was read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers	
Mr. L. Beardsley	Mr. Lacy	Mr. Seger	
Mr. Beckwith	Mr. Lawyer	Mr. Spraker	
Mr. Dickinson	Mr. Livingston	Mr. Sterling	
Mr. Downing	Mr. McLean	Mr. Tallmadge	
Mr. Hunter	Mr. Mack	Mr. Wager	
Mr. Huntington	Mr. Maison	Mr. Willes	
Mr. Johnson	Mr. Paige	Mr. Works	
Mr. H. F. Jones	101. I a.B.	,	25

FOR THE NEGATIVE.

Mr. Loomis	Mr. Van Dyck	Mr. Young	
Mr. Tracv	•		4

Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to amend the charter of the Eighth Ward Mutual Insurance Company in the city of New-York," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Sterling
Mr. L. Beardsley	Mr. Livingston	Mr. Tallmadge
Mr. Beckwith	Mr. Loomis	Mr. Tracy
Mr. Dickinson	Mr. McLean	Mr. Van Dyck
Mr. Downing	Mr. Mack	Mr. Wager
Mr. Huntington	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. H. F. Jones	Mr. Seger	Mr. Young
Mr. J. P. Jones	Mr. Spraker	J

The bill from the Assembly, entitled "An act to divide the town of Murray, in the county of Orleans," was read the third time and passed.

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The bill from the Assembly, entitled "An act to incorporate the Tioga County Mutual Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Beckwith	Mr. Loomis	Mr. Tallmadge
Mr. Dickinson	Mr. McLean	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. H. F. Jones	Mr. Seger	Mr. Young
M. I D I	•	•

Mr. J. P. Jones

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The bill from the Assembly, entitled "An act to incorporate the village of Ellicottville," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Spraker
Mr. L. Beardsley	Mr. Lacy	Mr. Sterling
Mr. Beckwith	Mr. Livingston	Mr. Tallmadge
Mr. Dickinson	Mr. McLean	Mr. Tracy
Mr. Downing	Ma Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. H. F. Jones	Mr. Seger	,

The bill from the Assembly, entitled "An act to repeal an act entitled 'An act to subject certain debts owing to non-residents to taxation," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to confirm the official acts of Henry G. Cotton, a supreme court commissioner," with the engrossed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to divide the town of Murray, in the county of Orleans," and that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Troy Turnpike and Rail-Road Company," and that the same be ordered to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M.—APRIL 1, 1837.

The Senate met pursuant to adjournment.

Mr. Powers presented two several petitions of the trustees and sundry inhabitants of the village of Catskill, for the passage of a law authorizing them to subscribe for, purchase or take \$100,000 of stock in the Catskill and Canajoharie Rail-Road.; which was read, and referred to the committee on the incorporation of cities and villages.

Mr. L. Beardsley presented the petition from sundry inhabitants of Cherry-Valley, praying for an amendment of the law in relation to tavern licenses; which was read, and referred to the committee on the

poor laws.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act authorizing the raising of money to repair a bridge across the Rondout creek in the town of Marbletown, and for other purposes;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act in relation to the Fort-Miller Bridge Company;" which was agreed to by

the Senate, and the bill ordered to a third reading.

Mr. L. Beardsley, from the committee on the judiciary, to whom was referred the petition of Henry Floyd Jones and Helen his wife, to authorize the trustees under their marriage settlement to sell real estate, and invest the proceeds according to the terms of the trust, brought in a bill, entitled "An act for the relief of Henry Floyd Jones and Helen his wife;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engressed for a third reading.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, two several bills from the Assembly,

of the following titles, to wit:

"An act to extend the charter of the Union Insurance Company:"
"An act authorizing the erection of a fire proof clerk's office in the

county of Wayne:"

Which was agreed to by the Senate, and the bills ordered to a third sading.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to erect the town of Mohawk:"

"An act to change the name of the town of Haight, in the county

of Allegany:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the division of towns and counties.

Two several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to incorporate the Fultonville Fire Company:"

"An act to amend the act entitled 'An act to incorporate the village

of Brockport,' passed April 6, 1829:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the better repairing certain roads in the town of Coeymans;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and

bridges.

The bill entitled "An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New-York for safe keeping," was received from the Assembly, with a message informing that they had receded from such of their amendments to said bill not concurred in by the Senate, and had concurred in the amendments of the Senate to their amendments to the said bill.

The engrossed bill, entitled "An act to authorize and require the board of supervisors of Orange county, to raise money by tax on the town of Walkill, to build a bridge across the Walkill at Phillipsburgh,"

was read the third time and passed.

The engrossed bill, entitled "An act to enable the trustees of the Seaman's Fund and Retreat, to borrow money from the Passenger's fund," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Spraker
Mr. L. Beardsley	Mr. Lacy	Mr. Tallmadge
Mr. Beckwith	Mr. Livingston	Mr. Tracy
Mr. Dickinson	Mr. Loomis	Mr. Van Dyck
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Hunter	Mr. Mack	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Works

Mr. Johnson Mr. H. F. Jones Mr. Seger

Mr. Young

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Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to extend the charter of the Union Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Powers
Mr. L. Beardsley	Mr. Lacy	Mr. Seger
Mr. Beckwith	Mr. Livingston	Mr. Spraker
	Mr. Loomis	Mr. Tallmadge
Mr. Dickinson	Mr. McLean	Mr. Wager
Mr. Downing		Mr. Willes
Mr. Hunter	Mr. Mack	
Mt. Huntington	Mr. Paige	Mr. Works

FOR THE NEGATIVE.

Mr. Young

Mr. Johnson

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The said engrossed bill, entitled "An act authorizing the erection of a fire proof clerk's office in the county of Wayne," was read the third time and passed.

The bill from the Assembly, entitled "An act authorizing the raising of money to repair a bridge across the Rondout creek in the town of Marbletown, and for other purposes," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

The bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Troy Turnpike and Rail-Road Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Sterling
Mr. L. Beardsley	Mr. Livingston	Mr. Tallmadge
Mr. Beckwith	Mr. Loomis	Mr. Tracy
Mr. Dickinson	Mr. McLean	Mr. Van Dyck
Mr. Downing	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. H. F. Jones	Mr. Seger	Mr. Young
Mr. J. P. Jones	Mr. Spraker	•

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amend-

ments therewith delivered.

Mr. Tallmadge, from a majority of the select committee to which was referred the petitions of sundry inhabitants of Oneida county, asking for a repeal of the charter of the Oneida Bank, made a report thereon; which was read.

[See Senate Document No. 58.]

Ordered, That said report be laid on the table.

Mr. Beckwith, from a minority of the same committee, made a report; which was read.

[See Senate Document No. 58.]

Ordered. That said report be laid on the table.

Ordered. That twice the usual number of copies of said reports, and

of the testimony before the committee, be printed.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act authorizing the Utica and Schenectady Rail-Road Company to carry freight;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock on Monday morning next.

MONDAY, 10 O'CLOCK, A. M.—APRIL 3, 1837.

The Senate met pursuant to adjournment.

Mr. J. P. Jones presented the petition of sundry inhabitants of the county of Sullivan, for an act incorporating a company for the construction of a turnpike road from Chehocton, in the county of Delaware, to Monticello, in the county of Sullivan; which was read, and referred to the committee on roads and bridges.

Mr. Livingston presented the petition of sundry citizens of the city of New-York, praying for an act of incorporation for the Shamrock

Benevolent Association in the city of New-York; which was read, and

referred to the committee on charitable and religious societies.

Mr. Lawyer presented the petition of sundry inhabitants of Schoharie county, praying for a loan to the Canajoharie and Catskill Rail-Road Company; which was read, and referred to the committee on roads and bridges.

Mr. Seger presented the petition of sundry inhabitants of school district number one in the village of Boonville, praying for the passage of a law authorizing the trustees of said district to dispose of their school lot; which was read, and referred to the committee on literature.

Mr. Wager presented the petition of sundry inhabitants of Madison county, praying for the location of the State Lunatic Asylum at some point not further east than Utica; which was read, and ordered to be

laid on the table.

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of sundry inhabitants of the towns of Union and Vestal, in the county of Broome, brought in a bill, entitled "An act to revive an act entitled 'An act to incorporate the Union and Vestal Bridge Company,' passed April 22d, 1831;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

Mr. Livingston, from the committee on canals, reported without amendment, the bill from the Assembly, entitled "An act concerning the dredging machine owned by this State;" which was agreed to by

the Senate, and the bill ordered to a third reading.

Mr. Mack, from the committee on rail-roads, to whom were referred five several petitions of sundry inhabitants of Albany, Greene, Schoharie and Montgomery counties, praying for a loan of \$400,000 to the Catskill and Canajoharie Rail-Road Company, made a report thereon, and brought in a bill, entitled "An act to amend an act entitled 'An act to incorporate the Canajoharie and Catskill Rail-Road Company;'" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engressed for a third reading.

[See Senate Document No. 59.]

Mr. H. F. Jones, from the committee on charitable and religious societies, reported with an amendment, the bill from the Assembly, entitled "An act to incorporate the New-York Ophthalmic Dispensary;" which was committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and villages, to whom was referred the petition of sundry citizens of Lockport, brought in a bill, entitled "An act to amend an act entitled 'An act to incorporate the village of Lockport,' passed March 26, 1829;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

Mr. Seger, from the committee on the incorporation of cities and villages, to whom was referred the petition of sundry inhabitants of the county of Oswego, brought in a bill, entitled "An act to incorporate the village of Port-Ontario, in the town of Richland, in the county of Os-

wego;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third

reading.

Mr. Seger, from the committee on the incorporation of cities and villages, reported with amendments, the bill from the Assembly, entitled "An act to incorporate the Fultonville Fire Company;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Huntington, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act to appoint commissioners to lay out a road from the village of Bath, in the county of Steuben, by the way of Jerseyville, to the head of Seneca lake;" which was agreed to by the

Senate, and the bill ordered to a third reading.

Mr. Mack, from the committee on rail-roads, reported without amendment, the bill entitled "An act to revive an act entitled 'An act to incorporate the Binghamton and Susquehannah Rail-Road Company;" which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. McLean, from a select committee, reported against the bill from the Assembly, entitled "An act for the destruction of panthers and wolves in the counties of Montgomery, Hamilton and Saratoga;" which

was committed to a committee of the whole.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act

altering the name of Andrew Jackson Cooke."

Also the bill, entitled "An act to amend an act entitled 'An act to provide for the draining of the Great swamp in the town of Cicero, in the county of Onondaga,' passed January 21st, 1836."

Also the bill entitled "An act to amend the law relating to limited

partnerships."

W. L. MARCY.

Albany, March 30, 1837.

The annual report of the weigher-general, John J. Bedient, of the city of New-York, was received and read.

[See Senate Document No. 63.]

Ordered, That the said report be laid on the table.

Four several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act to authorize and require the board of supervisors of Orange county, to raise money by tax on the town of Walkill, to build a bridge across the Walkill at Philipsburgh:"

"An act regulating the price to be paid for land taken for the enlargement of the Erie canal:"

"An act for the preservation of legislative petitions and papers:"

"An act relative to school district number six, in the city of Brook-

Which were presented to his excellency the Governor by the clerk.

The Assembly examined and returned the bill entitled "An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New-York for safe keeping;" which was presented to his excellency the Governor by the clerk.

The bill entitled "An act to incorporate the Glenville and Rotterdam Bridge Company," was received from the Assembly, with a message informing that they had receded from their amendments to the said bill; which was presented to his excellency the Governor by the clerk.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act to authorize and require the board of supervisors of Orange county, to raise money by tax on the town of Walkill, to build a bridge across the Walkill at Philipsburgh."

W. L. MARCY.

Albany, April 3, 1837.

A bill was received from the Assembly for concurrence, entitled "An act to authorize Timothy Eddy and others to construct a dam across the Hudson river;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the fourth senate district.

A bill was received from the Assembly for concurrence, entitled "An act concerning vessels navigating the Niagara river, Lake Ontario and the St. Lawrence river;" which was read the first time, and by unanimous consent was also read a second time, and ordered to a third read-

A bill was received from the Assembly for concurrence, entitled "An act to provide for the appointment of two additional lumber inspectors in the city and county of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to

the committee on manufactures.

A bill was received from the Assembly for concurrence, entitled "An act to annex the county of Livingston to the eighth judicial district;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the supervisors of the county of St. Lawrence, to levy a tax for the benefit of the Canton Academy, in the town of Canton;" which was read the first time, and by unanimous consent was also read

a second time, and referred to the committee on literature.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to provide for the construction of a rail-road from Rome, in the county of Oneida, to Port-Ontarie, in the county of Oswego," and that the same be engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to amend an act to incorporate the Jackson Marine Insurance Company in the city of New-York, passed April 23, 1831," and that the same be engressed for a

third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to abolish the January term of the court of common pleas and general sessions in and for the county of Lewis," and that the same be engressed for a third read-

ing.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act further to amend an act entitled 'An act to incorporate the city of Brooklyn, and for other purposes,'" and that the same be referred to a select committee, consisting of the senators attending the Senate from the first senate district, to report complete.

Ordered, That the bill entitled "An act for the erection of the town of Oneida," be made the special order of the day for Wednesday next.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled "An act for the relief of Henry Floyd Jones and Helen his wife."

Thereupon,

The said engrossed bill was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act concerning the dredging machine owned by this State," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to appoint commissioners to lay out a road from the village of Bath, in the county of Steuben, by the way of Jerseyville, to the head of Seneca lake,'" was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

ment

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act authorizing the Utica and Schenectady Rail-Road Company to carry freight;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported the same with amendments; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the

investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M.—APRIL 4, 1837.

The Senate met pursuant to adjournment.

Mr. Livingston presented the memorial of the mayor, aldermen and commonalty of the city of New-York, for an act to establish a permanent exterior street or avenue for the said city, along the easterly shore of the North or Hudson's river, and for other purposes; which was read, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

Mr. Livingston, from the committee on canals, to whom was referred the petition of sundry citizens of the city of New-York, for the incorporation of a company to construct a steam-boat canal from Utica to Oswego, reported against the prayer of the said petition; which was

agreed to by the Senate.

Mr. Young, from the committee on literature, to whom was referred the petition of sundry inhabitants of school district number one, in the village of Boonville, praying for the passage of a law authorizing the trustees of said district to dispose of their school lot, brought in a bill, entitled "An act in relation to school district number one in the town of Boonville;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Young, from the committee on literature, reported without amendment, the bill from the Assembly, entitled "An act authorizing the supervisors of the county of St. Lawrence, to levy a tax for the benefit of the Canton Academy, in the town of Canton;" which was agreed to

by the Senate, and the bill ordered to a third reading.

Mr. L. Beardsley, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act to annex the county of Livingston to the eighth judicial district;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. L. Beardsley, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act for the relief of George William Usborne, an alien;" which was agreed to by

the Senate, and the bill ordered to a third reading.

Mr. L. Beardsley, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act for the re-

lief of Mary Cook and Salty Cook;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Mack, from the committee on the division of towns and counties, reported without amendment, two several bills from the Assembly, of

the following titles, to wit:

"An act to change the name of the town of Haight, in the county of Allegany:"

"An act to erect the town of Mohawk:"

Which was agreed to by the Senate, and the bills ordered to a third

reading.

Mr. McLean, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act to authorize Timothy Eddy and others to construct a dam across the Hudson river;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Wager, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act for the relief of Aaron Barnes;" which was agreed to by the Senate, and the bill ordered to a

third reading.

Mr. Livingston, from a select committee, to whom was referred, to report complete, the bill entitled "An act to provide for the construction of a rail-road from the village of Hempstead to Bedell's creek, in the town of Hempstead, county of Queens," reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engressed for a third reading.

Mr. Livingston, from a select committee to whom was referred, to report complete, the bill entitled "An act further to amend an act entitled "An act to incorporate the city of Brooklyn, and for other purposes," reported the same without amendment; which was agreed to by the

Senate, and the bill ordered to be engrossed for a third reading.

The bill entitled "An act to authorize Peter Tyler McHugh to change his name," was received by the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

A bill was received from the Assembly for concurrence, entitled "An act relating to sales at public auction in the city of Troy;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

Mr. Armstrong asked for and obtained leave of absence for Mr. Ed-

wards for one week.

Mr. Willes asked for and obtained leave of absence for Mr. Beckwith for one week.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate the Salmon River Harbor Canal Company," and that the same be engrossed for a third reading.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, eight several bills, of the following titles, to wit:

[SENATE JOURNAL.]

"An act to abolish the January term of the court of common please and general sessions in and for the county of Lewis:"

"An act authorizing the Utica and Schenectady Rail-Road Compa-

ny to carry extra baggage:"

"An act to incorporate the village of Port-Ontario, in the town of Richland, in the county of Oswego:"

"An act to amend an act entitled 'An act to incorporate the village

of Lockport,' passed March 26th, 1829:"

"An act to revive an act entitled 'An act to incorporate the Union

and Vestal Bridge Company,' passed April 22d, 1831:"

"An act to amend an act entitled 'An act to incorporate the Canajoharie and Catskill Rail-Road Company,' passed April 19, 1830:"

"An act to revive an act entitled 'An act to incorporate the Binghamton and Susquehannah Rail-Road Company,' passed April 29th, 1823:"

"An act to amend an act entitled 'An act to incorporate the Jackson Marine Insurance Company in the city of New-York,' passed April 23, 1831."

Thereupon,

The said engrossed bill, entitled "An act to abolish the January term of the court of common pleas and general sessions in and for the county of Lewis," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and

request their concurrence to the same.

The bill from the Assembly, entitled "An act to erect the town of

Mohawk." was read the third time and passed.

The bill from the Assembly, entitled "An act authorizing the supervisors of the county of St. Lawrence, to levy a tax for the benefit of the Canton Academy, in the town of Canton," was read the third time and

The bill from the Assembly, entitled "An act to annex the county of Livingston to the eighth judicial district," was read the third time

and passed.

The bill from the Assembly, entitled "An act for the relief of George

William Usborne, an alien," was read the third time and passed.

The bill from the Assembly, entitled "An act to change the name of the town of Haight, in the county of Allegany," was read the third time and passed.

The bill from the Assembly, entitled "An act for the relief of Aaron

Barnes," was read the third time and passed.

The bill from the Assembly, entitled "An act concerning vessels navigating the Niagara river, Lake Ontario and the St. Lawrence river," was read the third time and passed.

Ordered, That the clerk deliver the said hills to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

The bill from the Assembly, entitled "An act to authorize Timothy Eddy and others to construct a dam across the Hudson river," with the engressed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and

inform them that the Senate have proceed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act for the licensing and government of the pilots of the port of New-York by the way of Sandy-Hook;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported that they had passed the same with amendments.

Ordered, That said report be laid on the table.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to amend the Revised Statutes in relation to usury," and the bill entitled "An act to authorize associations for the purpose of banking;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, re-

ported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Jacob Westlake and John M'Connell;" the bill entitled "An act in addition to an act entitled 'An act to amend article third, title one, chapter eighteen, of part first of the Revised Statutes, relating to turnpike incorporations," and the bill, entitled "An act to authorize county judges to inspect turnpike roads, and to fix the location of Gates thereon;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Tracy, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M.—APRIL 5, 1837.

The Senate met pursuant to adjournment.

Mr. Johnson presented the petition of sundry inhabitants of the counties of Ulster and Greene, praying for the incorporation of a turnpike company; which was read, and referred to the committee on roads and bridges.

Mr. Armstrong presented the memorial of sundry citizens of the counties of Ontario, Seneca and Wayne, remonstrating against the incorporation of the Canandaigua Hydraulic Company; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Page, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act to appoint commissioners to alter and lay out a road from the Dutchess county line to the house of Reuben Lapham in Taghkanick, Columbia county;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Paige, from the select committee to which was referred, to report

complete, the bill entitled "An act relative to the Mohawk and Hudson Rail-Road Company," reported the same with amendments.

Ordered, That the said report be laid on the table.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act for the preservation of legislative petitions and papers."

Also the bill, entitled "An act relative to school district number six,

in the city of Brooklyn."

Also the bill, entitled "An act regulating the price to be paid for land taken for the enlargement of the Erie canal."

W. L. MARCY.

Albany, April 3, 1837.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New-York for safe keeping."

Also the bill, entitled "An act to authorize Peter Tyler McHugh to

change his name."

W. L. MARCY.

Albany, April 4, 1837.

A bill was received from the Assembly for concurrence, entitled "An act to prevent usury;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Ordered, 'That the said bill be printed.

Two several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act for the relief of Henry Floyd Jones and Helen his wife, late

Helen Watts:"

"An act to authorize the Commissioners of the Land-Office to sell and convey a portion of the State lands in the town of Salina, for the accommodation of the Auburn and Syracuse Rail-Road Company:"

Which were presented to his excellency the Governor by the clerk. Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the city of Troy, and for other purposes," and that the same be referred to a select committee,

consisting of the senators attending the Senate from the third senate dis-

trict, to report complete.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act for the destruction of panthers and wolves in the counties of Montgomery, Hamilton and Saratoga," and that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the New-York Ophthalmic Dispensary," and that the

same be ordered to a third reading.

Mr. Huntington, from the committee on engressed bills, reported as correctly engrossed, three several bills, of the following titles, to wit:

"An act further to amend an act entitled 'An act to incorporate the

city of Brooklyn, and for other purposes:"

"An act to provide for the construction of a rail-road from Rome, in the county of Oneida, to Port-Ontario, in the county of Oswego:"

"An act to provide for the construction of a rail-road from the village of Hempstead to Bedell's creek, in the town of Hempstead, county of Queens:"

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Willes, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to amend the Revised Statutes in relation to usury;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Willes, from the said committee, reported progress,

and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to regulate the powers and duties of public administrators and surrogates, relative to the property and effects of foreigners;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Willes, from the said committee, reported that they had passed the same with amendments; which was agreed to by the Senate.

Then the Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M.—APRIL 6, 1837.

The Senate met pursuant to adjournment.

Mr. Downing presented the petition of the Regular Bible Baptists, for a general act incorporating them into one or more societies or congregations; which was read, and referred to the committee on charitable and religious societies.

Mr. Downing presented the petition of Leffert Lefferts, A. C. Beach and others, owners of lands adjacent to the Brooklyn and Jamaica turnpike road, for an alteration in said road; which was read, and re-

ferred to the committee on roads and bridges.

Mr. Downing presented the petition of the Brooklyn and Jamaica Rail-Road Company, for an alteration of their turnpike road in the city of Brooklyn; which was read, and referred to the committee on roads and bridges.

Mr. Livingston presented a petition to incorporate the New-York and Long-Island Moral and Literary Association; which was read, and re-

ferred to the committee on literature.

Mr. J. P. Jones presented the petition of sundry inhabitants of the county of Sullivan, for the erection of a new town, by the name of Forrestburgh; which was read, and referred to the committee on the division of towns and counties.

Mr. Livingston presented the petition of William A. Duer and others, in behalf of the New-York Colonization Society, praying for pecuniary aid; which was read, and referred to the committee on charitable and

religious societies.

Mr. Loomis presented the memorial and remonstrance of sundry inhabitants of Seneca-Falls, against the bill relating to the Seneca and Cayuga canal; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Loomis presented the petition of sundry inhabitants of the county of Cayuga, praying for the passage of the law introduced by Judge Soule, of Onondaga, to strengthen the usury laws; which was read,

and referred to the committee on the judiciary.

Mr. McLean, from the committee on the incorporation of cities and villages, reported with an amendment, the bill from the Assembly, entitled "An act to incorporate the village of Flushing;" which was agreed to by the Senate, the amendment ordered to be engrossed, and the bill to a third reading.

Mr. Loomis, from the committee on manufactures, reported without amendment, the bill from the Assembly, entitled "An act to provide for the appointment of two additional lumber inspectors in the city and county of New-York;" which was agreed to by the Senate, and the

bill ordered to a third reading.

Mr. Loomis, from the committee on manufactures, reported without amendment, the bill from the Assembly, entitled "An act relating to sales at public auction in the city of Troy;" which was committed to a committee of the whole.

Mr. Willes, form the committee on reads and bridges, reported against two several bills from the Assembly, of the following titles, to wit:

"An act to incorporate the Lenox Basin and Chenango Canal Turn-

pike Company :"

"An act to provide for the better repairing certain roads in the town of Coeymans:"

Which were committed to a committee of the whole.

Mr. Armstrong, from the committee on canals, to whom was referred the report of the Canal Board on the enlargement of the Erie canal, brought in a bill, entitled "An act authorizing loans in aid of the enlargement of the Eric canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the said bill be printed.

Mr. L. Beardsley, from the committee on the judiciary, to whom was referred the petition and remonstrance of sundry inhabitants of the town of Turin, in the county of Lewis, praying for the passage of a law to confirm the election of two justices of the peace of said town, chosen at the late annual town meeting, brought in a bill, entitled "An act confirming the classification and official acts of justices of the peace of the town of Turin, in the county of Lewis;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Livingston, from the select committee to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, brought in a bill, entitled "An act to establish a permanent exterior street or avenue in the city of New-York, along the easterly shore of the North or Hudson's river, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time. and the bill ordered to be engressed for a third reading.

A message from his excellency the Governor, delivered by his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

I have this day approved and signed the bill, entitled "An act for the relief of Henry Floyd Jones and Helen his wife, late Helen. Watts."

Also the bill, entitled "An act to authorize the commissioners of the land-office to sell and convey a portion of the State lands in the town of Salina, for the accommodation of the Auburn, and Syracuse Rail-Road Company."

W. L. MARCY.

Albany, April 5, 1837.

A report of the Canal Commissioners, on the petition of the Cohaes Manufacturing Company, was read.

[See Senate Document No. 60.]

Ordered, That said report be referred to the committee on canala

The bill entitled "An act to incorporate the Vernon Academy," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Ordered, That said bill and amendments be laid on the table.

The bill entitled "An act to alter the map or plan of the city of New-York, by establishing a public square or place in the sixteenth ward of said city," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Resolved, That the Senate do concur with the Assembly in their said amendments.

Ordered, That the clerk deliver said bill and a copy of said resolu-

tion to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Globe Fire Insurance Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the survey of a canal route or for slack water navigation, from the upper waters of Hudson river to the Erie or Champlain canal;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act further to amend the act entitled 'An act to incorporate the village of Elmira;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

Six several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the

following titles, to wit:

"An act relative to the ordinances of the common council of the city of New-York:"

"An act to promote the administration of justice in the county of

Kings:"

"An act to amend the act entitled 'An act to incorporate the Bristol and Rensselaerville Turnpike Road Company,' passed March 25th, A. D. 1808:"

"An act to amend the act entitled 'An act to incorporate the Saratoga and Schenectady Bridge Company,' passed April 2d, 1836, and for other purposes:"

"An act to amend an act entitled 'An act to incorporate the society for the relief of orphan and destitute children in the city of Albany,' passed April 27, 1835:"

"An act to enable the trustees of the Seaman's, Fund and Retreat,

to borrow money from the Passenger's fund:"

Which were presented to his excellency the Governor by the clerk.

The Senate then took up the report of the committee of the whole on the bill from the Assembly, entitled "An act for the licensing and government of the pilots of the port of New-York, by the way of Sandy-Hook."

Thereupon,

The seventh section of the said report was read, in the words following, to wit:

7. The said commissioners shall, with all convenient speed after their appointment, proceed to license all those persons now licensed, to act as pilots by the way of Sandy-Hook, including those called deputy pilots, as they may deem competent after examination, and also every other person of full age and good moral character, making application therefor, who shall have served at least three years as an apprentice to a licensed pilot, and who, after an examination, in the manner hereinafter prescribed, shall be found qualified to act as such pilot; and the suid commissioners shall continue from time to time to increase the number of pilots in the manner herein before mentioned, as the said commissioners may deem proper and the public good require. And for each license so granted, the said commissioners shall receive the sum of two dollars; and the pilots so licensed are hereby authorized and required to employ such boats for said pilot service as shall be approved of by the said commissioners; which boats shall be reported to their secretary on the first Mondays in May and November in each year, with the names of the apprentices and others attached thereto or interested therein, respectively; all which persons shall be subject to the lawful orders, rules and regulations of the commissioners aforesaid.

Mr. Tracy moved to amend said section, as follows, to wit:

In the 6th and 7th lines, strike out the words "who shall have served at least three years as an apprentice to a licensed pilot," and to insert in the 8th line, after the word pilot, the following words, "giving a preference to such as have served three years as an apprentice to a licensed pilot."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley Mr. Huntington Mr. Lacy	Mr. McLea Mr. Paige Mr. Sterlin	Mr. Willes	
Mr. Lacy Mr. Loomis	Mr. Tracy	9	12

FOR THE NEGATIVE.

Mr. Dickinson	Mr. J. P. Jones Mr. Lawyer	Mr. Mack	
Mr. Downing Mr. Johnson Mr. H. F. Jones	Mr. Livingston	Mr. Seger Mr. Spraker	. 1.0
MIT. II. F. JUHOS			. 24

After amending the same, the Senate agreed to said report.

Ordered, That the amendments be engrossed, and the bill to a third

reading.

Ordered, That the bill entitled "An act increasing the salary of certain officers therein mentioned," be made the special order of the day for to morrow.

The engrossed bill, entitled "An act to regulate the powers and duties of public administrators and surrogates, relative to the property and effects of foreigners," was read the third time and passed

Ordered, That the clerk deliver said bill to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to provide for the appointment of two additional lumber inspectors in the city and county of

New-York," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the Fultonville Fire Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling
Mr. L. Beardsley	Mr. Livingston	Mr. Tracy
Mr. Dickinson	Mr. Loomis	Mr. Van Dyck
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Johnson	Mr. Mack	Mr. Willes
Mr. H. F. Jones	Mr. Paige	Mr. Works
Mr. J. P. Jones	Mr. Seger	Mr. Young
Mr. Lacy	Mr. Spraker	

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

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The bill from the Assembly, entitled "An act for the destruction of panthers and wolves in the counties of Montgomery and Hamilton," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the village of Fulton,' passed April 29, 1835," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. L. Beardsley Mr. Dickinson Mr. Downing Mr. Johnson	Mr. Lawyer Mr. Livingston Mr. Loomis Mr. McLean Mr. Mack	Mr. Sterling Mr. Tracy Mr. Van Dyck Mr. Wager Mr. Willes
Mr. H. F. Jones	Mr. Mack Mr. Paige	Mr. Willes Mr. Works

Mr. J. P. Jones Mr. Lacy Mr. Seger Mr. Spraker

Mr. Young

23 °

The bill from the Assembly, entitled "An act to appoint commissioness to alter and lay out a road from the Dutchess county line to the house of Reuben Lapham in Taghkanick, Columbia county," with the engreesed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amend-

ments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" the bill entitled "An act to authorize associations for the purpose of banking," and the bill entitled "An act to amend the Revised Statutes in relation to usury;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M.-APRIL 7, 1837.

The Senate met pursuant to adjournment.

Mr. Loomis presented the petition of sundry inhabitants of Auburn, Cayuga county, praying for the appropriation from the income of the surplus moneys deposited with this State, of \$10,000 to each school district, to purchase libraries; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Tracy presented the remonstance of the trustees of the Fredonia Academy, against the incorporation of an academy in the village of Dunkirk; which was read, and referred to the committee of the whole

when on the bill on that subject.

Mr. Seger presented the remonstrance from sundry inhabitants of Turin, against confirming the election of justices of the peace; which was read, and referred to the committee of the whole when on the bill

on that subject.

Mr. H. F. Jones, from the committee on charitable and religious societies, to whom was referred the petition of sundry inhabitants of the city of New-York, brought in a bill, entitled "An act to incorporate the New-York Shamrock Benevolent Society;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and vil-

lages, reported with amendments, three several bills from the Assembly, of the following titles, to wit:

"An act to amend the charter of the village of Seneca-Falls:"

"An act to amend the act entitled 'An act to incorporate the village of Brockport,' passed April 6, 1829:"

"An act to amend the act incorporating the village of Geneva, in the

county of Ontario:"

Which were agreed to by the Senate, the amendments ordered to be

engreesed, and the bills to a third reading.

Mr. Johnson, from the committee on the incorporation of cities and villages, to whom was referred the resolution in relation to the election of mayors in the several cities of this State, reported in favor of said resolution.

Ordered, That said report be laid on the table.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act to amend an act entitled 'An act to incorporate the society for the relief of orphan and destitute children in the city of Albany,' passed April 27, 1835."

Also the bill, entitled "An act to amend the act entitled 'An act to incorporate the Bristol and Rensselaerville Turnpike Road Company,'

passed March 25th, A. D. 1808."

Also the bill, entitled "An act to amend the act entitled 'An act to incorporate the Saratoga and Schenectady Bridge Company,' passed April 2d, 1836."

Also the bill, entitled "An act relative to the ordinances of the com-

mon council of the city of New-York."

Also the bill, entitled "An act to promote the administration of jus-

tice in the county of Kings."

Also the bill, entitled "An act to enable the trustees of the Seaman's Fund and Retreat, to borrow money from the Passenger's fund."

W. L. MARCY.

Albany, April 6, 1837.

The following communication was received and read:

The honorable the members of the Senate of the State of New-York, are requested to attend the celebration of the semi-centennial anniversary of the incorporation of Columbia College, to be held on the 13th of April next.

The procession (in which they are invited to join) will be formed in

the College Green precisely at 10 o'clock, A. M.

By order of the committee of arrangements,

PETER A. JAY, Ch'n.

Columbia College, March, 1887.

Three several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act to amend the act entitled 'An act to provide for the draining of the Beaverdam swamp in the town of Junius, in the county of

Seneca, and for other purposes,' passed March 31, 1825:"

"An act authorizing the appointment of a supreme court commissioner for the county of Richmond:"

"An act to incorporate the Port-Ontario Hydraulic Canal Company:" Which were presented to his excellency the Governor by the clerk. Three several bills were received from the Assembly for concurrence.

of the following titles, to wit:

"An act for the relief of John P. Smith and others, contractors on the Chenango canal:"

"An act for the relief of Nathan Hall and others:"

"An act to provide for the survey of certain lands overflowed by water in the Oswego canal, and for other purposes:"

Which were read the first time, and by unanimous consent were also

read a second time, and referred to the committee on canals.

Two several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to incorporate the village of Aurora, in the county of Cayuga:"

"An act to incorporate the village of Black-Rock:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the payment of money due the contractors for constructing the Cedar point road in the county of Essex;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of the trustees of Middlebury Academy;" which was read the first time, and by unanimous consent was also read a second

time, and ordered to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the sale of the cemetery ground in the village of East-Oswego;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the fifth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to increase the capital stock of the Green-Hill Wharf Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the sena-

tors attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the Warsaw and Le Roy Rail-Road Company; which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on rail-roads.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act to incorporate the Schuylerville Bridge Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Mr. Armstrong asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act authorizing William Edwards and Harlow Hyde to establish a ferry across Great Sodus bay;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Mr. Wager moved to recommit to the committee of the whole, the bill from the Assembly, entitled "An act for the licensing and government of the pilots of the port of New-York, by the way of Sandy-

Hook."

Mr. President put the question on agreeing to the said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Livingston	•
Mr. Dickinson	Mr. H. F. Jones	Mr. Mack	
Mr. Downing	Mr. J. P. Jones	Mr. Spraker	
Mr. Huntington	Mr. Lawyer	Mr. Wager	12

FOR THE NEGATIVE.

Mr. L. Beardsley	Mr. Paige	Mr. Willes	
Mr. Lacy	Mr. Powers	Mr. Works	
Mr. Loomis	Mr. Tracy	Mr. Young	
Mr. McLean	Mr. Van Dyck	•	11

The Senate then again resolved itself into a committee of the whole on the said bill; and after some time spent thereon, Mr. President resumed the chair, and Mr. Loomis, on behalf of Mr. Seger, from the said committee, reported the same with amendments.

Thereupon.

The seventh section of said report was read, in the words following,

§ 7. The said commissioners shall, with all convenient speed after their appointment, proceed to license all those persons now licensed, to act as pilots by the way of Sandy-Hook, including those called deputy pilots, as they may deem competent after examination, and also every other person of full age and good moral character, making application therefor, who shall have served at least three years as an apprentice to a licensed pilot, and who, after an examination, in the manner hereinafter prescribed, shall be found qualified to act as such pilot; and the said commissioners shall continue from time to time to increase the number of pilots, in the manner herein before mentioned, as the said commissioners may deem proper, and the public good require. And for each license so granted, the said commissioners shall receive the sum of two dollars; and the pilots so licensed are hereby authorized and required to employ such boats for said pilot service as shall be approved of by the said commissioners; which boats shall be reported to their secretary on the first Mondays in May and November in each year, with the names of the apprentices and others attached thereto or interested therein, respectively; all which persons shall be subject to the lawful orders, rules and regulations of the commissioners aforesaid.

Mr. Tracy made a motion to amend said section, as follows, to wit:

In the 6th and 7th lines, strike out the words "who shall have served at least three years as an apprentice to a licensed pilot;" and to insert in the 8th line, after the word pilot, the following words, "giving a preference to such as have served three years as an apprentice to a licensed pilot."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. McLean	Mr. Van Dyck	
Mr. Huntington	Mr. Paige	Mr. Willes	
Mr. Lacy	Mr. Powers	Mr. Works	12
Mr. Loomis	Mr. Tracy	Mr. Young	

FOR THE NEGATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Mack	
Mr. Dickinson	Mr. J. P. Jones	Mr. Seger	
Mr. Downing	Mr. Lawyer	Mr. Spraker	
Mr. Johnson	Mr. Livingston	Mr. Wager	12

The yeas and nays being equally divided, Mr. President gave the casting vote in the affirmative.

After amending the said report, the Senate agreed to the same.

Ordered, That the amendments be engrossed, and the bill to a third reading.

Thereupon,

The said bill, with the engrossed amendments, was read the third

time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and de-

posited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M.—APRIL 8, 1837.

The Senate met pursuant to adjournment.

Mr. Downing presented the petition of the executors of John Ireland, deceased, for permission to sell lands at private sale; which was read,

and referred to the committee on the judiciary.

Mr. Johnson presented the remonstrance of sundry inhabitants and owners of real estate in the first and fourth wards of the city of Albany, against the Mohawk and Hudson Rail-Road Company removing, altering, exchanging the main or southern route of their rail-road, at or near its eastern termination; which was read, and laid on the table.

Mr. Sterling presented two several remonstrances of sundry inhabitants of Jefferson county, against a repeal of the charter of the Sack-

ett's-Harbor Bank; which were read, and laid on the table.

Mr. J. P. Jones presented the remonstrance of sundry inhabitants of the town of Marlboro', Ulster county, against incorporating the village of Milton; which was read, and referred to the committee on the incor-

poration of cities and villages.

Mr. Powers presented the proceedings of a meeting of sundry citizens of Hudson, in favor of the general banking law pending in the Assembly, as originally proposed to be amended by the Speaker; which were read, and referred to the committee of the whole when on the bill on that subject.

Mr. Dickinson presented the petition of sundry inhabitants of Broome, upon the subject of the usury laws; which was read, and referred to the committee of the whole when on the bill to which the subject re-

lates.

Mr. Seger, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to provide for the sale of the cemetery ground in the village of East-Oswego;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Seger, from the committee on the incorporation of cities and villages, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the village of Black-Rock;" which was agreed

to by the Senate, and the bill ordered to a third reading.

Mr. Livingston, from the committee on canals, to whom was referred the report of a select committee of the Assembly, on the petition of Hiram Barber, reported against the same. Ordered, That the said report be laid on the table.

Mr. Mack, from the committee on rail-roads, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the Warsaw and Le Roy Rail-Road Company;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill entitled "An act authorizing William Edwards and Harlow Hyde, to establish a ferry across the Great Sodus bay;" which was agreed to by the Senate, and the bill ordered to be engrossed

for a third reading.

Mr. H. F. Jones, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to increase the capital stock of the Green-Hill Wharf Company;" which was agreed to

by the Senate, and the bill ordered to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act relating to common schools in the city of Albany;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the supervisors of the county of Kings to raise a further sum of money to complete the jail of the said county;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act continuing a ferry across the Schoharie river;" which was read the first time, and by unanimous consent was also read a second time, and

referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to release to the mayor, aldermen and commonalty of the city of New-York, a certain piece of ground in the sixth ward of the said city;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Geneseo Hydraulic Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending

the Senate from the sixth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the raising of money in the town of Lyons, to rebuild a bridge across the Clyde river;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the seventh senate district.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to amend an act entitled 'An act to incorporate the village of Homer,' passed May 11, 1835:"

"An act to authorize the corporation of the city of Albany, to borrow

money for the purposes therein mentioned:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the incorporation

of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Niagara County Mutual Insurance Company:" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to repeal the charter of the Sackett's-Harbor Bank:"

"An act to enable the trustees of the American Seaman's Friend Society to borrow money from the Passenger's fund:"

Which were read the first time, and by unanimous consent were also

read a second time, and ordered to be laid on the table.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the raising of money to build a bridge over Cattaraugus creek at Versailles;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the eighth senate district.

Three several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles,

to wit:

"An act to appoint commissioners to alter and lay out a road from the Dutchess county line to the house of Reuben Lapham in Taghkanick, Columbia county ;"

"An act to amend the act entitled 'An act to incorporate the Troy

Turnpike and Rail-Road Company:"

"An act for the destruction of panthers and wolves in the counties of Montgomery and Hamilton:"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

Ordered, That the committee of the whole be discharged from the further consideration of the resolution in relation to the income of the

literature fund, and that said resolution be laid on the table.

The engrossed bill, entitled "An act to establish a permanent exterior street or avenue in the city of New-York, along the easterly shore of the North or Hudson's river, and for other purposes," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. Livingston Mr. Sterling Mr. L. Beardsley Mr. Loomis Mr. Tracy Mr. Dickinson Mr. McLean Mr. Van Dyck

Mr. Downing	Mr. Mack	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. Lacy	Mr. Spraker	Mr. Young
Mr. Lacy	mr. Spraker	Mr. Young

Ordered, That the clerk deliver said bill to the Assembly, and re-

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quest their concurrence to the same.

The bill from the Assembly, entitled "An act to increase the capital stock of the Green-Hill Wharf Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Seger
Mr. L. Beardsley	Mr. Livingston	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Huntington	Mr. Mack	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Works
Mr. J. P. Jones	Mr. Powers	Mr. Young
Mr I son		Ü

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the State of New-York for safe keeping;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported that they had passed the same with amendments.

Ordered, That said report be referred to the joint committee on that subject.

Ordered, That the said bill be printed.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act concerning common schools and the office of Superintendent thereof;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported the same with an amendment; which was agreed to by the Senate, the amendment ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act increasing the salary of certain officers therein mentioned;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported that they

had passed the same with amendments.

The said report was then read, in the words following, to wit:

An Act increasing the salary of certain officers therein mentioned.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

§ 1. From and after the passage of this act, the salary of the sur-

veyor-general shall be one thousand dollars.

§ 2. The salary of the following officers shall be increased for one year from the first day of January last, in addition to the salary now allowed by law, viz: Philip Phelps, deputy comptroller, two hundred and fifty dollars; Archibald Campbell, deputy secretary of state, two hundred and fifty dollars; the treasurer of the state, two hundred and fifty dollars.

3. This act shall take effect immediately after its passage.

Mr. President put the question on agreeing to the said report, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Paige	
Mr. L. Beardsley	Mr. Lawyer	Mr. Powers	
Mr. Dickinson	Mr. Livingston	Mr. Van Dyck	
Mr. Downing	Mr. McLean	Mr. Wager	
Mr. Johnson	Mr. Mack	J	14

FOR THE NEGATIVE.

Mr. Lacy	Mr. Tracy	Mr. Works	
Mr. Loomis	Mr. Willes	Mr. Young	
Mr. Spraker			7

Ordered, That the said bill be engrossed for a third reading.

Mr. Downing, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act authorizing the supervisors of the county of Kings, to raise a further sum of money to complete the jail of the said county;" which was agreed to by the Senate, and the bill ordered to a third reading.

Thereupon,

The said bill was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

A bill was received from the Assembly for concurrence, entitled "An act relative to the fire department of the city of Hudson;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the third senate district.

Then the Senate adjourned until 10 o'clock on Monday morning next.

MONDAY, 10 O'CLOCK, A. M.—APRIL 10, 1837.

The Senate met pursuant to adjournment.

Mr. Wager presented the remonstrance of sundry inhabitants of Jefferson county, against a repeal of the charter of the Sackett's-Harbor Bank; which was read, and laid on the table.

Mr. Wager presented the remonstrance of sundry inhabitants of Onondaga, against some provisions of the law to prevent usury; which

was read, and referred to the committee on the judiciary.

Mr. Wager presented the petition of sundry inhabitants of Madison, for the incorporation of the Lenox Basin and Chenango Canal Turnpike Road Company; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. J. P. Jones presented the petition of sundry inhabitants of the towns of Thompson and Mamakating, in the county of Sullivan, for the erection of a town by the name of Forrestburgh; which was read, and referred to the committee on the division of towns and counties.

Mr. Maison presented the remonstrance of sundry inhabitants of Pawlings, in the county of Dutchess, against the passage of a general bank law; which was read, and referred to the committee of the whole when

on the bill on that subject.

Mr. Maison presented a remonstrance against any alteration to the bill to authorize the construction of the Rosendale and New-Paltz road; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Seger, from the committee on the incorporation of cities and villages, reported without expressing any opinion thereon, the bill from the Assembly, entitled "An act to incorporate the village of Aurora, in the county of Cayuga;" which was committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and villages, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the village of Homer,' passed May 11, 1835;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Powers, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act relative to the fire department of the city of Hudson;" which was agreed to by the Senate; and

the bill ordered to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the construction of a McAdam or hard road from the village of Fort-Plain to Springfield;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Mr. Dickinson asked for and obtained leave of absence for Mr. L.

Beardsley for one week.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the Lenox Basin and Chenango Canal Turnpike Company," and that the same be ordered to a third reading.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, two several bills, of the following titles, to wit:

"An act authorizing William Edwards and Harlow Hyde to establish

a ferry across Great Sodus bay:"

"An act increasing the salary of certain officers therein mentioned."

Thereupon,

The said engrossed bill, entitled "An act authorizing William Edwards and Harlow Hyde to establish a ferry across Great Sodus bay," was read the third time and passed.

Ordered, That the clerk deliver said bill to the Assembly, and re-

quest their concurrence to the same.

The said engressed bill, entitled "An act increasing the salary of certain officers therein mentioned," was read the third time.

Ordered, That the question on the final passage of the said bill be

laid on the table.

Mr. Lawyer

The bill from the Assembly, entitled "An act relative to the fire department of the city of Hudson," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Loomis	Mr. Sterling
Mr. Dickinson	Mr. McLean	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Huntington	Mr. Maison	Mr. Wager
Mr. H. F. Jones	Mr. Paige	Mr. Willes
Mr. J. P. Jones	Mr. Powers	Mr. Works
Mr. Lacy	Mr. Seger	Mr. Young
Mr. Lawver	Mr. Spraker	

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the village of Homer,' passed May 11, 1835," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. McLean	Mr. Sterling
Mr. Dickinson	Mr. Mack	Mr. Tracy
Mr. Downing	Mr. Maison	Mr. Van Dyck
Mr. Huntington	Mr. Paige	Mr. Wager
Mr. H. F. Jones	Mr. Powers	Mr. Willes
Mr. J. P. Jones	Mr. Seger	Mr. Works
Mr. Lacy	Mr. Spraker	Mr. Young

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

Ordered, That the bill from the Assembly, entitled "An act to repeal the charter of the Sackett's-Harbor Bank," be referred to the com-

mittee on banks and insurance companies.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Ordered, That the amendments to the said bill, offered in committee

of the whole by Mr. Dickinson, be printed.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize county judges to inspect turn-pike roads, and to fix the location of Gates thereon;" and the bill from the Assembly, entitled "An act for the relief of Jacob Westlake and John M'Connell;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Huntington, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the erection of the town of Oneida;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Paige, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be

engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to repeal an act entitled 'An act to appoint commissioners to lay out a public highway in the county of Chenango,' passed May 25, 1836;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mack, from the said committee, reported progress.

Ordered, That the same be referred to a select committee, consisting

of the senators attending the Senate from the sixth senate district.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to confirm the resurvey of certain roads in the town of Aurora, Erie county;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Mack, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Young moved that the Senate then resolve itself into a committee of the whole, on the bill entitled "An act supplementary to the act

entitled 'An act to prohibit the circulation of small bills.'"

Mr. President put the question on agreeing to said motion, and it was

decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker	
Mr. Downing	Mr. Loomis	Mr. Willes	
Mr. H. F. Jones	Mr. Seger	Mr. Young	9

FOR THE NEGATIVE.

Mr. Dickinson	Mr. Mack	Mr. Tracy	
Mr. J. P. Jones	Mr. Maison	Mr. Wager	
Mr. Lawver	Mr. Paige	Mr. Works	9

The yeas and nays being equally divided, Mr. President gave the

casting vote in the affirmative.

The Senate then resolved itself into a committee of the whole on the said bill; and after some time spent thereon, Mr. President resumed the chair, and Mr. Maison, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M.—APRIL 11, 1837.

The Senate met pursuant to adjournment.

Mr. Works presented the proceedings of a meeting of sundry inhabitants of Niagara county, in favor of a general banking law; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Dickinson presented the proceedings of sundry inhabitants of the counties of Yates and Steuben, in relation to deepening the upper level of the Crooked Lake canal; which was read, and referred to the com-

mittee of the whole when on the bill on that subject.

Mr. Loomis presented three several memorials of Samuel Porter and others, inhabitants of Skaneateles and Onondaga, for the passage of the

act to prevent usury; which were read, and laid on the table.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Niagara County Mutual Insurance Company;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lacy, from the committee on charitable and religious societies, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Fireman's Benevolent Association of Rochester;" which was agreed to by the Senate, and the bill ordered to a third read-

ing.

Mr. Tracy, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to authorize the raising of money to build a bridge over Cattaraugus creek at Versailles;" which was committed to a committee of the whole.

Mr. Armstrong, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to authorize the raising of

money in the town of Lyons, to rebuild a bridge across the Clyde river;" which was agree to by the Senate, and the bill ordered to a third

reading.

The bill entitled "An act to provide for the payment of the deficiencies in the revenue of the Chenango canal," was received from the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

The bill entitled "An act to renew the act entitled 'An act to amend an act entitled 'An act to authorize the erection of a dam across the Genesee river at Mount-Morris,' passed April 15, 1829,'" was received from the Assembly, with a message informing that they had passed the

same with the amendments therewith delivered.

Resolved, That the Senate do concur with the Assembly in their said amendments.

Ordered, That the clerk deliver said bill and a copy of said resolution to the Assembly.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act for the relief of the Long-Island Insurance Company:"

"An act to incorporate the Allegany Mutual Insurance Company:"
Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on banks and insurance companies.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act further to amend the act entitled 'An act authorizing the Canal Commissioners to deepen the upper level of the Crooked Lake canal, and for other purposes,' passed May 11, 1835:"

"An act to authorize the survey of the Conewango canal, with a

branch to Lake Erie:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on canals.

Three several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to provide for such alteration in the line or route of any turnpike road or highway through the county of Westchester, as may be rendered necessary by the plan adopted for supplying the city of New-York with pure and wholesome water, under and by virtue of the act for that purpose, passed May 2, 1834:"

"An act authorizing money to be raised by tax, to build a bridge

across Sandy creek, in Jefferson county:"

"An act authorizing a tax upon the town of Rome, for the improvement of roads and bridges in said town:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act confirming the official acts of Calvin Hall, a justice of the peace of the county of Oneida:"

"An act to confirm the official acts of John A. Nichols, a justice of the peace of the county of Tioga;"

Which were read the first time, and by unanimous consent were also

read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act further to amend the charter of the village of Oswego;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to increase the capital stock of the Lockport Manufacturing Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act relative to the Oneida and Seneca rivers, passed May 24, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the fifth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the erection of district school buildings in each district east of Perry-street, in the city of Albany;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the third senate district.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Ancient Britons' Benefit Society, of the town of Remsen and its vicinity;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to provide for the construction of a rail-road from the Erie canal in the county of Monroe, to Hemlock and Honeyoye lakes,' passed May 21, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on rail-roads.

Three several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to wit:

"An act to authorize Timothy Eddy and others to construct a dam across the Hudson river:"

"An act for the licensing and government of the pilots of the port of New-York, by the way of Sandy-Hook:"

"An act to amend an act entitled 'An act to incorporate the village of Fulton,' passed April 29, 1835:"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

The engrossed bill, entitled "An act to amend an act to establish fire limits in the village of Poughkeepsie, and for other purposes, passed

25th May, 1636," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFPIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. Beckwith	Mr. Loomis	Mr. Sterling
Mr. Dickinson	Mr. McLean	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dycl
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Seger	Mr. Young
Mr. J. P. Jones		J.C 5

The engrossed bill, entitled "An act for the erection of the new town of Oneida," was read the third time and passed.

Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to incorporate the village of Black-Rock," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Sterling
Mr. Beckwith	Mr. Loomis	Mr. Tracy
Mr. Dickinson	Mr. McLean	Mr. Van Dyck
Mr. Downing	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr. H. F. Jones	Mr. Seger	Mr. Young
Mr. J. P. Jones	Mr. Spraker	•

The bill from the Assembly, entitled "An act to incorporate the village of Flushing," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Sterling
Mr. Beckwith	Mr. Loomis	Mr. Tracy Mr. Van Dyck
Mr. Dickinson	Mr. McLean	Mr. Van Dyck
Mr. Downing	Mr. Mack	Mr. Wager
Mr. Huntington	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Paige	Mr. Works
Mr. H. F. Jones	Mr. Seger	Mr. Young
Mr. J. P. Jones	Mr. Spraket	

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The bill from the Assembly, entitled "An act for the relief of the trustees of Middlebury Academy," with the engressed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amend-

ments therewith delivered.

The bill from the Assembly, entitled "An act to authorize the raising of money in the town of Lyons, to rebuild a bridge across the Clyde

river," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the Niagara County Mutual Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as fellows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. Beckwith	Mr. Loomis	Mr. Sterling
Mr. Dickinson	Mr. McLean	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Seger	Mr. Young
Mr. J. P. Jones		

The bill from the Assembly, entitled "An act to incorporate the Fireman's Benevolent Association of Rochester," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. Beckwith	Mr. Loomis	Mr. Sterling
Mr. Dickinson	Mr. McLean	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Seger	Mr. Young
Mr. J. P. Jones		

The bill from the Assembly, entitled "An act to confirm the resurvey of certain roads in the town of Aurora, Erie county." was read the third time and passed.

Ordered. That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

ment

The bill from the Assembly, entitled "An act concerning common schools, and the office of superintendent thereof," was read the third time.

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Thereupon,

Mr. Tracy moved the following resolution:

Resolved, That the bill from the Assembly, entitled "An act concerning common schools, and the office of superintendent thereof," be referred to the committee on literature, and that they be instructed to report the compensation to the Superintendent of common schools contemplated by said bill, and the other matters in said bill, contained in separate bills.

Mr. Mack moved to lay the said resolution on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Beckwith	Mr. Loomis	Mr. Van Dyck	
Mr. Dickinson	Mr. Seger	Mr. Willes	
Mr. Johnson	Mr. Spraker	Mr. Works	
Mr. J. P. Jones	Mr. Tracy	Mr. Young	
Mr. Lacy		-	13

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Paige	
Mr. Downing	Mr. McLean	Mr. Sterling	
Mr. Hunter	Mr. Mack	Mr. Wager	
Mr. Huntington	Mr. Maison	J	11

Mr. Wager moved to amend said resolution, by striking out all after the word "resolved," and insert the following:

"(If the Assembly concur,) That the eighth joint rule of the Senate and Assembly be and is hereby suspended, so far as relates to the bill entitled "An act concerning common schools, and the superintendent thereof."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Beckwith	Mr. Lacy	Mr. Spraker	
Mr. Dickinson	Mr. Loomis	Mr. Sterling	
Mr. Downing	Mr. McLean	Mr. Tracy	
Mr. Hunter	Mr. Mack	Mr. Van Dyck	
Mr. Huntington	Mr. Maison	Mr. Willes	
Mr. Johnson	Mr. Paige	Mr. Works	
Mr. H. F. Jones	Mr. Seger	Mr. Young	21

FOR THE AFFIRMATIVE.

Mr. Armstrong

Mr. J. P. Jones

Mr. Wager

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Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Beckwith	Mr. Lacy	Mr. Tracy	
Mr. Dickinson	Mr. Loomis	Mr. Van Dyck	
Mr. Hunter	Mr. McLean	Mr. Willes	
Mr. Huntington	Mr. Paige	Mr. Works	
Mr. Johnson	Mr. Seger	Mr. Young	
Mr. J. P. Jones	Mr. Spraker	17	•

FOR THE NEGATIVE,

Mr. Armstrong Mr. Downing Mr. H. F. Jones	Mr. Mack Mr. Maison	Mr. Sterling Mr. Wager	7
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Then the Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M.—APRIL 12, 1837.

The Senate met pursuant to adjournment.

Mr. Paige presented the petition of sundry inhabitants of the corporation of the city of Hudson, praying a division of the same and the erection of a new town from said corporation; which was read, and referred to the committee on the incorporation of cities and villages.

Mr. President laid before the Senate the proceedings of a meeting of sundry inhabitants of the village of Medina, in relation to the propriety of amending the village charter and enlarging the powers of the trustees and the bounds of the said village; which were read, and laid on the table.

Mr. Hunter presented the memorial of the owners of real estate in the county of Westchester, against the act to provide for supplying the city of New-York with pure and wholesome water, passed May 2, 1834; which was read, and referred to the committee on the judiciary.

Mr. Van Dyck presented the petition of sundry inhabitants of Deerpark, in the county of Orange, for the incorporation of the Fort De Witt Bridge Company; which was read, and referred to the committee on roads and bridges.

Mr. Willes, from the committee on roads and bridges, reported with out amendment, the bill from the Assembly, entitled "An act authorizing a tax upon the town of Rome, for the improvement of roads and bridges in said town;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act authorizing money to be raised by tax to build a bridge across Sandy creek, in Jefferson county;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Young, from the committee on literature, reported with amendments, the bill from the Assembly, entitled "An act concerning common schools, and the office of superintendent thereof;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill

to a third reading.

Mr. Young, from the same committee, brought in a bill, entitled "An act concerning the compensation of the superintendent of common schools;" which was read the first time, and by unanimous consent was also read a second time.

Mr. Loomis moved to amend the said bill, by striking out the words. "and for additional clerk hire in his several departments, the sum of six hundred dollars per annum, for the expenditure whereof he shall account to the comptroller."

Mr. President put the question on agreeing to said motion, and it was

decided in the negative.

The yeas and nays being moved and seconded, were as follows. to wit:

FOR THE NEGATIVE.

Mr. Dickinson	Mr. J. P. Jones	Mr. Powers	
Mr. Downing	Mr. McLean	Mr. Sterling	
Mr. Hunter	Mr. Mack	Mr. Van Dyck	
Mr. Huntington	Mr. Maison	Mr. Wager	
Mr. Johnson	Mr. Paige	Mr. Willes	
Mr. H. F. Jones		•	16

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Leomis	Mr. Works	
Mr. Beckwith Mr. Lacy	Mr. Spraker Mr. Tracy	Mr. Young	٥
Idi. Davy	Mi. I lacy		0

Mr. Maison, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act to prevent usury;" which was referred to the committee of the whole, when on the bill entitled "An act to amend title three, chapter four, of part two of the Revised Statutes, entitled 'Of the interest of money.'"

Mr. Armstrong, from the committee on canals, reported against the bill from the Assembly, entitled "An act authorizing the survey of a canal route, or for slack water navigation, from the upper waters of Hudson river to the Erie or Champlain canal;" which was committed to a committee of the whole.

Mr. Maison, from the committee on the judiciary, reported without amendment, two bills from the Assembly, of the following titles, to wit:

"An act to confirm the official acts of John A. Nichols, a justice of the peace of the county of Tioga:"

"An act confirming the official acts of Calvin Hall, a justice of the

peace of the county of Oneida:"

Which was agreed to by the Senate, and the bills ordered to a third

reading.

Mr. Maison, from the committee on the judiciary, to whom was referred the petition of the executors of John Ireland, brought in a bill, entitled "An act for the relief of the executors of the last will and testament of John Ireland, deceased;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, two several bills from the Assembly,

of the following titles, to wit:

"An act to incorporate the Allegany Mutual Insurance Company:" "An act for the relief of the Long-Island Insurance Company:" Which was agreed to by the Senate, and the bills ordered to a third

Mr. H. F. Jones, from the committee on charitable and religious societies, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Ancient Briton's Benefit Society, of the town of Remsen and its vicinity;" which was agreed to by the Senate,

and the bill ordered to a third reading.

Mr. Mack, from the committee on rail-roads, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act to provide for the construction of a rail-road from the Erie canal in the county of Monroe, to Hemlock and Honeyoye lakes,' passed May 21, 1836;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Mack, from the committee on rail-roads, reported without amendment, the bill entitled "An act to incorporate the Greene Rail-Road Company;" which was committed to a committee of the whole.

Mr. Paige, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to provide for the erection of district school buildings in each district east of Perry-street in the city of Albany;" which was agreed to by the Senate, and the bill ordered to a third reading.

The bill entitled "An act to establish a permanent exterior street or avenue in the city of New-York, along the easterly shore of the North or Hudson's river, and for other purposes," was received by the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

A bill was received from the Assembly for concurrence, entitled "An

act to continue in force for a limited period, the act entitled 'An act relating to the relief and support of the poor in the city and county of Albany;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the third senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act to incorporate the Saratoga Academy and Scientific Institute,' passed April 28, 1835;" which was read the first time, and by unanimous consent was also read a second time.

and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Leicester Bridge Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act authorizing Wilhelmus A. Ostrander to change his name;" which was read the first time, and by unanimous consent was also read a se-

cond time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act incorporating the Eighth Ward Fire Insurance Company in the city of New-York, passed April 25, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act

to incorporate the Glenville and Rotterdam Bridge Company."

Also the bill, entitled "An act to alter the map or plan of the city of New-York, by establishing a public square or place in the sixteenth ward of said city."

Also the bill, entitled "An act to incorporate the Port-Ontario Hy-

draulic Canal Company."

Also the bill, entitled "An act authorizing the appointment of a su-

preme court commissioner for the county of Richmond."

Also the bill, entitled "An act to amend the act entitled 'An act to provide for the draining of the Beaverdam swamp in the town of Junius, in the county of Seneca, and for other purposes,' passed March 31, 1825."

W. L. MARCY.

Albany, April 10, 1837.

Mr. Dickinson moved the following resolution:

Resolved, (if the Assembly concur,) That this Lagislature will adjourn on the twenty-fifth day of April instant, at 12 o'clock at noon.

Mr. Seger moved to lay the said resolution on the table.

[SENATE JOURNAL.]

Mr. President put the question on agreeing to the said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Armstrong Mr. H. F. Jones Mr. Mack Mr. Dickinson Mr. J. P. Jones Mr. Maison Mr. Downing Mr. Lacy Mr. Paige Mr. Hunter Mr. Loomis Mr. Powers Mr. Johnson Mr. McLean Mr. Young	15
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FOR THE AFFIRMATIVE.

Mr. Huntington	Mr. Sterling Mr. Tracy	Mr. Willes Mr. Works	
Mr. Seger Mr. Spraker	Mr. Wager		8

Thereupon,

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Paige
Mr. Dickinson	Mr. Lacy	Mr. Powers
Mr. Downing	Mr. Loomis	Mr. Seger
Mr. Hunter	Mr. McLean	Mr. Wager
Mr. Huntington	Mr. Mack	Mr. Willes
Mr. Johnson	Mr. Maison	Mr. Young
Mr H F Tones		

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FOR THE NEGATIVE.

Mr. Spraker Mr. Sterling	Mr. Tracy	Mr.	Works
Mr. Sterling			

Ordered, That the clerk deliver a copy of said resolution to the As-

sembly.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act in relation to the court of common pleas of the county of Schenectady," and that the same be engreesed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act relative to the duties of town officers in the town of Duanesburgh, county of Schenectady," and that the same be ordered to a third reading.

Mr. Paige gave notice that he would, at some future day, introduce

a bill relative to the Albany basin.

The engrossed bill, entitled "An act to amend an act entitled 'An act to incorporate the village of Lockport,' passed March 26th, 1829," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. Beckwith	Mr. Lacy	Mr. Seger
Mr. Dickinson	Mr. Loomis	Mr. Spraker
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Hunter	Mr. Mack	Mr. Willes
Mr. Huntington	Mr. Maison	Mr. Works
Mr. Johnson	Mr. Paige	Mr. Young
Mr. H. F. Jones	**** - mg*	

The engreesed bill, entitled "An act for the relief of the executors of the last will and testament of John Ireland, deceased," was read the

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third time and passed.

The engrossed bill, entitled "An act to revive an act entitled 'An act to incorporate the Union and Vestal Bridge Company,' passed April 22, 1836," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. Beckwith	Mr. Loomis	Mr. Spraker
Mr. Dickinson	Mr. McLean	Mr. Sterling
Mr. Downing	Mr. Mack	Mr. Tracy
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Powers	Mr. Young
Mr. II D James		

Mr. H. F. Jones

The engressed bill, entitled "An act to provide for the construction of a rail-road from the village of Hempstead to Bedell's creek, in the town of Hempstead, county of Queens," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. Beckwith	Mr. Lacy	Mr. Seger
Mr. Dickinson	Mr. Loomis	Mr. Spraker
Mr. Downing	Mr. McLean	Mr. Sterling
Mr. Hunter	Mr. Mack	Mr. Tracy

Mr. Huntingten Mr. Maison Mr. Willes Mr. Johnson Mr. Paige Mr. Works Mr. H. F. Jones

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FOR THE NEGATIVE.

Mr. Young

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The engrossed bill, entitled "An act concerning the compensation of the superintendent of common schools," was read the third time.

Mr. President put the question on the final passage of the said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Powers
Mr. Beckwith	Mr. J. P. Jones	Mr. Seger
Mr. Dickinson	Mr. McLean	Mr. Sterling
Mr. Downing	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Paige	

FOR THE NEGATIVE.

Mr. Lacy	Mr. Spraker	Mr. Works	
Mr. Loomis	Mr. Tracy	Mr. Young	6

Ordered, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act concerning common schools, and the office of superintendent thereof," with the engrossed amendments, and amendment of the title, was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act authorizing a tax upon the town of Rome, for the imprevement of roads and bridges in said town," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the Ancient Briton's Benefit Society of the town of Remeen and its vicinity," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

POR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger
Mr. Beckwith	Mr. Lacy	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Sterling

Mr. Downing	Mr. MeLoan	Mr. Tracy	
Mr. Hunter	Mr. Mack	Mr. Willes	
Mr. Huntington	Mr. Maison	Mr. Works	
Mr. Johnson	Mr. Paige	Mr. Young	-,
Mr. H. F. Jones	Mr. Powers	J	23

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to provide for the construction of a rail-road from the Erie canal in the county of Monroe, to Hemlock and Honeyoye lakes,' passed May 21, 1836," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger	
Mr. Beckwith	Mr. Lacy	Mr. Spraker	
Mr. Dickinson	Mr. Loomis	Mr. Sterling	
Mr. Downing	Mr. McLean	Mr. Tracy	
Mr. Hunter	Mr. Mack	Mr. Willes	
Mr. Huntington	Mr. Maison	Mr. Works	
Mr. Johnson	Mr. Paige	Mr. Young	
Mr. H. F. Jones	Mr. Powers		21

The bill from the Assembly, entitled "An act authorizing mency to be raised by tax to build a bridge across Sandy creek, in Jefferson county," was read the third time and passed.

The bill from the Assembly, entitled "An act confirming the official acts of Calvin Hall, a justice of the peace of the county of Oneida,"

was read the third time and passed.

The bill from the Assembly, entitled "An act to confirm the official acts of John A. Nichols, a justice of the peace of the county of Tioga,"

was read the third time and passed.

The bill from the Assembly, entitled "An act for the relief of the Long-Island Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger
Mr. Beckwith	Mr. Loomis	Mr. Spraker
Mr. Dickinson	Mr. McLean	Mr. Sterling
Mr. Downing	Mr. Mack	Mr. Tracy
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Powers	Mr. Young
Mr. H. F. Jones		

The bill from the Assembly, entitled "An act to incorporate the Allegany Mutual Insurance Company," was read the third time and peas-

ed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger
Mr. Beckwith	Mr. Loomis	Mr. Spraker
Mr. Dickinson	Mr. McLean	Mr. Sterling
Mr. Downing	Mr. Mack	Mr. Tracy
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Powers	Mr. Young
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Mr. H. F. Jones

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Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" and the bill from the Assembly, entitled "An act to prevent usury;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M.—APRIL 13, 1837.

The Senate met pursuant to adjournment.

Mr. Paige presented the petition of citizens of Albany, in relation to the Albany basin; which was read, and laid on the table.

Mr. Seger presented the remonstrance of sundry inhabitants of the county of Jefferson, against the passage of the law providing for a repeal of the charter of the Sackett's-Harbor Bank; which was read, and referred to the committee on banks and insurance companies.

Mr. Sterling presented the remonstrance of sundry inhabitants of Oswego county, against a repeal of the charter of the Sackett's Harbor Bank; which was read, and referred to the committee on banks and

insurance companies.

Mr. Beckwith, from the committee on the division of towns and counties, to whom were referred four several petitions and two several remonstrances of sundry inhabitants of Tioga county, in relation to reannexing the town of Barton to the town of Chemung, reported against the prayer of the petitioners; which was agreed to by the Senate.

Mr. Seger, from the committee on the incorporation of cities and villages, to whom was referred the petition of sundry citizens of Hudson,

brought in a bill, entitled "An act to erect the town of Greenport, in the county of Columbia;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and villages, reported against the bill from the Assembly, entitled "An act further to amend the charter of the village of Owego;" which was com-

mitted to a committee of the whole.

Mr. Beckwith, from the committee on the division of towns and counties, to whom was referred the petition of the supervisors of the town of Stockbridge, for the correction of an error in the act for the erection of said town, brought in a bill, entitled "An act to amend the act for the erection of the town of Stockbridge;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

Mr. Dickinson, from the committee on canals, reported without amendment, the bill from the Assembly, entitled "An act for the relief of Nathan Hall and others;" which was committed to a committee of the

whole.

Mr. Young, from the committee on literature, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act relating to common schools in the city of Albany;" which was committed to a committee of the whole.

Mr. Young, from the committee on literature, brought in a bill, entitled "An act relating to common schools in the city of Albany;" which was read the first time, and by unanimous consent was also read a second time, and committee of the whole

cond time, and committed to a committee of the whole.

Mr. Wager, from the committee on banks and insurance companies, reported without amendment, two several bills from the Assembly, of the following titles, to wit:

"An act to amend an act entitled 'An act incorporating the Eighth Ward Fire Insurance Company in the city of New-York,' passed April 25, 1836:"

"An act to incorporate the Globe Fire Insurance Company:"

Which were committed to a committee of the whole.

Mr. Armstrong, from the committee on banks and insurance companies, reported without amendment, the bill entitled "An act to incorporate the Broome County Mutual Insurance Company;" which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Paige, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to continue in force for a limited period, the act entitled 'An act relating to the relief and support of the poor in the city and county of Albany;" which was agreed to by the Senete and the bill ordered to a third reading.

by the Senate, and the bill ordered to a third reading.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act to provide for the payment of the deficiencies in the revenue of the Che-

nango canal."

Also the bill, entitled "An act to establish a permanent exterior street or avenue in the city of New-York, along the easterly shore of the North or Hudson river, and for other purposes."

W. L. MARCY.

Albany, April 12, 1837.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of John I. Campbell;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act incorporating the Fifth Ward Fire Insurance Company in the city of New-York,' passed April 13, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance

companies.

Mr. Maison gave notice that, on some future day, he would bring in a bill to authorize the several banks in this State to issue post notes, payable on or before the first day of January next, with or without interest, to an amount which, with the bills in circulation, shall not exceed the circulation as limited by law. Also, if upon reflection it shall be deemed advisable, to bring in a bill to revive the act authorizing a loan for the benefit of the people of this State, generally known as Governor Marcy's mortgage.

Ordered, That the select committee, consisting of the senators attending the Senate from the fifth senate district, be discharged from the further consideration of the bill entitled "An act to amend an act relative to the Oneida and Seneca rivers, passed May 24, 1836," and that the

same be referred to the committee on canals.

Mr. Hunter, by unanimous consent, brought in a bill, entitled "An act authorizing the Secretary of State to purchase five hundred copies of the Revised Statutes;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Paige,

Resolved, That the Secretary of State be required, so far as the same shall be practicable, to report to the next Legislature a statement of all the convictions for criminal offences which shall have been had within this State, since and including the year 1830; setting forth in such statement, the date of the conviction, the sentence thereon, the court in which the same was had, and the offence: And that the said secretary be also required to make a like report annually to the Legislature, for each succeeding year thereafter.

Mr. Paige, in pursuance of notice heretofore given, brought in a bill,

entitled "An act relative to the Albany basin;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Young, from the committee on literature, reported without amendment, the bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Saratoga Academy and Scientific Institute,' passed April 28, 1835;" which was agreed to by the Senate. and the bill ordered to a third reading.

Mr. Hunter offered the following resolution:

Resolved, That any act of the Senate, which would create a belief abroad, that it was intended to authorize a suspension on the part of the banks of specie payment, would be improper, and create unnecessarily distrust and alarm.

Ordered, That the said resolution be laid on the table.

The engrossed bill, entitled "An act relative to the court of common pleas of the county of Schenectady," was read the third time and passed.

The engrossed bill, entitled "An act further to amend an act entitled 'An act to incorporate the city of Brooklyn, and for other purposes,'" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Spraker
Mr. Beckwith	Mr. Lacy	Mr. Sterling
Mr. Dickinson	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Powers	Mr. Young
Mr. H. F. Jones	Mr. Seger	ŭ

The engrossed bill, entitled "An act to amend an act entitled 'An act to incorporate the Canajoharie and Catskill Rail-Read Company, passed April 19th, 1830," was read the third time and passed; twothirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

OR THE APPIRMATIVE

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger
Mr. Beckwith	Mr. Lacy	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Steeling
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Huntingters	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. H. F. Jones		

The engrossed bill, entitled "An act to revive an act entitled 'An act to incorporate the Binghamton and Susquehannah Rail-Road Company,' passed April 29, 1833," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Seger
Mr. Beckwith	Mr. J. P. Jones	Mr. Spraker
Mr. Dickinson	Mr. Lacy	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Wager Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Powers	

FOR THE NEGATIVE.

Mr. Young

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The engrossed bill, entitled "An act authorizing the Utica and Schenectady Rail-Road Company to carry baggage," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Sterling
Mr. Beckwith	Mr. J. P. Jones	Mr. Tracy
Mr. Dickinson	Mr. Lacy	Mr. Van Dyck
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Seger	Mr. Works
Mr. Huntington	Mr. Spraker	Mr. Young
Mr. Johnson		-

Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the Saratoga Academy and Scientific Institute,' passed April 28, 1835," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger
Mr. Beckwith	Mr. Lacy	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Sterling
Mr. Downing	Mr. McLean	Mr. Tracy

Mr. Edwards	Mr. Mack	Mr. Van Dyck	
Mr. Hunter	Mr. Maison	Mr. Wager	
Mr. Huntington	Mr. Paige	Mr. Willes	
Mr. Johnson	Mr. Powers	Mr. Young	24

The bill from the Assembly, entitled "An act relative to the duties of town officers in the town of Duanesburgh, county of Schenectady,"

was read the third time and passed.

The bill from the Assembly, entitled "An act to continue in force for a limited period the act entitled 'An act relating to the relief and support of the poor in the city and county of Albany;" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr.: Armstrong	Mr. H. F. Jones	Mr. Sterling
Mr. Beckwith	Mr. J. P. Jones	Mr. Tracy
Mr. Dickinson	Mr. Lacy	Mr. Van Dyck
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	. Mr. Paige	Mr. Works
Mr. Huntington	Mr. Seger	Mr. Young
Mr. Johnson	Mr. Spraker	J

The bill from the Assembly, entitled "An act to provide for the erection of district school buildings in each district east of Perry-street in the city of Albany," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

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FOR THE AFFIRMATIVE.

Mr. H. F. Jones	Mr. Spraker	
Mr. J. P. Jones		•
		•
	Mr. Van Dyck	
		•
	Mr. Willes	
Mr. Seger		23
	Mr. J. P. Jones Mr. Lacy Mr. McLean Mr. Mack Mr. Paige Mr. Powers	Mr. J. P. Jones Mr. Sterling Mr. Tracy Mr. McLean Mr. Van Dyck Mr. Mack Mr. Wager Mr. Paige Mr. Willes Mr. Works

FOR THE NEGATIVE.

Mr. Young

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of

banking;" and the bill from the Assembly, entitled "An act to prevent usury;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M.—APRIL 14, 1837.

The Senate met pursuant to adjournment.

Mr. H. F. Jones presented the remonstrance of sundry owners of lands on the Genesee river, against the erection of a dam across said river; which was read, and laid on the table.

Mr. Loomis, from the committee on manufactures, reported without amendment, the bill from the Assembly, entitled "An act to increase the capital stock of the Lockport Manufacturing Company;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. J. P. Jones, from the committee on the division of towns and counties, to whom were referred two several petitions of sundry inhabitants of the county of Sullivan, brought in a bill, entitled "An act to erect the town of Forrestburgh, in the county of Sullivan;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Beckwith, from the committee on the division of towns and counties, to whom was referred the petition of sundry inhabitants of Oneida county, praying for the passage of a law authorizing the annexation of parts of lots 40, 57 and 73, of Cox's patsat, in Kirkland, to the town of Paris, brought in a bill, entitled "An act to annex a part of the town of Kirkland to the town of Paris;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

Mr. Maison, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act authorizing Wilhelmus A. Ostrander to change his name;" which was agreed to

by the Senate, and the bill ordered to a third reading.

Mr. Johnson, from the committee on the incorporation of cities and villages, to whom was referred the petition of the trustees and sundry inhabitants of the village of Poughkeepsie, brought in a bill, entitled "An act to widen Main-street, on the south side thereof, between Liberty and Academy-streets, in the village of Poughkeepsie;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

Mr. Willes, from the committee on roads and bridges, reported with amendments, the bill from the Assembly, entitled "An act to incorporate the Leicester Bridge Company;" which was agreed to by the Se-

nate, the amendments ordered to be engrossed, and the bill to a third

reading.

Mr. Willes, from the committee on roads and bridges, reported with amendments, the bill from the Assembly, entitled "An act to amend an act to incorporate the Schuylerville Bridge Company;" which was laid on the table.

Two several bills were received from the Assembly for concurrence.

of the following titles, to wit:

"An act for the relief of Abraham K. Smith:"

"An act to amend article first of title seven of chapter two of part four of the Revised Statutes, relating to coroner's inquests:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

Three several bills were received from the Assembly for concurrence.

of the following titles, to wit:

"An act vesting certain powers in the commissioners of highways of the town of Norwich:"

"An act to appoint commissioners to lay out a road from the town of Leicester, Livingston county, to the village of Warsaw:"

"An act authorizing the board of supervisors of the county of Wash-

ington, to raise money by tax to rebuild certain bridges:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to authorize Philip Church junior, to erect and maintain a dam across the Genesee river in the county of Allegany;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the sixth senate district.

Two several bills were received from the Assembly for concurrence.

of the following titles, to wit:

"An act to authorize the superintendent of the salt springs to procure a supply of water to carry a pump at Liverpool:"

"An act authorizing the appointment of two additional inspectors of lumber for the city and county of Albany, and for other purposes:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence, entitled "An act for the partial organization of the county of Hamilton;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the fourth senate district.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the village of Palmyra, in the county of Wayne;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of

cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to extend the Chemung canal, and to authorize a survey of a canal route from Elmira to the north line of the state of Pennsylvania;"

which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to amend article fifth, title tenth, chapter ninth, part first of the Revised Statutes, entitled 'Regulations and penalties on the inspection, packing and removal of salt, and the payment of duties;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act authorizing the supervisors of the county of Erie, to raise money by tax to rebuild a certain bridge,' passed April 16, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the eighth senate district.

Two several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act concerning the compensation of the superintendent of com-

mon schools:"

"An act for the relief of the executors of the last will and testament of John Ireland deceased:"

Which were presented to his excellency the Governor by the clerk.

Two several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to wit:

"An act to incorporate the village of Flushing:"

"An act for the relief of the trustees of Middlebury Academy:"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

The Senate then took up the consideration of the report of the committee on claims, on the memorial of Adam Hoops; which was agreed to.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act for the relief of Nathan Hall and others," and that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act further to amend the act to incorporate the village of Ithaca," and that the same be referred to a select committee, consisting of the senators attending the Senate

from the sixth senate district, to report complete.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act confirming the classification and official acts of justices of the peace of the town of Turin, in the county of Lewis," and that the same be referred to a select committee, consisting of the senators attending the Senate from the fifth senate district, to report complete.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, three several bills, of the following titles, to wit:

"An act authorizing the Secretary of State to purchase five hundred copies of the Revised Statutes:"

"An act to amend the act for the erection of the town of Stockbridge,

passed May 10, 1836:"

"An act to incorporate the Broome County Mutual Insurance Company."

Thereupon,

The said engrossed bill, entitled "An act to incorporate the Broome County Mutual Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker	
Mr. Beckwith	Mr. Loomis	Mr. Sterling	
Mr. Dickinson	Mr. McLean	Mr. Tracy	
Mr. Downing	Mr. Mack	Mr. Van Dyck	
Mr. Edwards	Mr. Maison	Mr. Wager	
Mr. Hunter	Mr. Paige	Mr. Willes	
Mr. Johnson	Mr. Powers	Mr. Works	
Mr. H. F. Jones	Mr. Seger	Mr. Young	24

The said engrossed bill, entitled "An act to amend the act for the erection of the town of Stockbridge, passed May 10, 1836," was read the third time and passed.

The said engrossed bill, entitled "An act authorizing the Secretary of State to purchase five hundred copies of the Revised Statutes," was

read the third time and passed.

The engrossed bill, entitled "An act increasing the salary of certain officers therein mentioned," was read the third time and passed.

Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act authorizing Wilhelmus A. Ostrander to change his name," was read the third time.

Mr. President-put the question on the final passage of the said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. Dickinson	Mr. J. P. Jones Mr. Lacy	Mr. Spraker Mr. Van Dyck
Mr. Downing	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Works

FOR THE NEGATIVE.

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Mr. Beckwith	Mr. McLean	Mr. Tallmadge
Mr. Edwards	Mr. Paige	Mr. Tracy

Mr. Johnson Mr. Pewers Mr. Willes
Mr. Loomis Mr. Seger Mr. Young 12

The bill from the Assembly, entitled "An act to increase the capital stock of the Lockport Manufacturing Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Loomis	Mr. Sterling
Mr. Beckwith	Mr. McLean	Mr. Tallmadge
Mr. Dickinson	Mr. Mack	Mr. Tracy
Mr. Downing	Mr. Maison	Mr. Van Dyck
Mr. Edwards	Mr. Paige	Mr. Wager
Mr. Hunter	Mr. Powers	Mr. Willes
Mr. H. F. Jones	Mr. Seger	Mr. Works
Mr. J. P. Jones	Mr. Spraker	Mr. Young
	<u>-</u>	. —

Mr. Lacy

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Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" and the bill from the Assembly, entitled "An act to prevent usury;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M.—APRIL 15, 1837.

The Senate met pursuant to adjournment.

Mr. Wager presented the petition of sundry inhabitants of Cooperstown, in Otsego county, relative to the supreme court commissioner at that place; which was read, and referred to a select committee, consisting of the senators attending the Senate from the fifth senate district.

Mr. Sterling presented the petition of sundry inhabitants of the country of Jefferson, praying for a general bank law, and for the more effectual suppression of usury; which was read, and referred to the committee on banks and insurance companies.

Mr. Dickinson presented the polition of sundry inhabitants of the county of Broome, upon the subject of usury laws; which was read,

and referred to the committee of the whole when on the bill on that subject.

Mr. Hunter presented the petition of sundry inhabitants of the village of Sing-Sing, for a law to incorporate said village; which was read, and referred to the committee on the incorporation of cities and villages.

Mr. Sterling presented the remonstrance of the trustees of Sackett's-Harbor, against the repeal of the charter of the Sackett's-Harbor Bank; which was read, and referred to the committee on banks and insurance companies.

Mr. Powers presented the remonstrance of the lumber dealers of the city of Albany, against the passage of the law reducing the fees of the lumber inspectors; which was read, and referred to the committee on

manufactures.

Mr. Johnson presented the memorial of sundry inhabitants of Rensselaer and Albany counties, against the bill to reduce the fees of inspectors of lumber; which was read, and referred to the committee on manufactures.

Mr. McLean presented the petition of the directors of the American Society for the diffusion of useful knowledge, praying for an act of incorporation; which was read, and referred to the committee on literature.

Mr. Downing presented the petition of Thomas Gough, John P. Maher and others, for an act to incorporate the St. Patrick's Benevolent Society of the city of Albany; which was read, and referred to the committee on charitable and religious societies.

Mr. Talimadge presented the petition of Thaddeus Phelps and others, for a repeal of the law in relation to public weighers; which was read,

and referred to the committee on the judiciary.

Mr. Willes, from the committee on roads and bridges, reported against the bill from the Assembly, entitled "An act to appoint commissioners to lay out a road from the town of Leicester, Livingston county, to the village of Warsaw;" which was committed to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, reported without amendment, two several bills from the Assembly, of the following titles,

to wit:

"An act authorizing the board of supervisors of the county of Washington, to raise money by tax to rebuild certain bridges:"

"An act vesting certain powers in the commissioners of highways of

the town of Norwich:"

Which was agreed to by the Senate, and the bills ordered to a third

reading.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act for the relief of Abraham K. Smith;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act to amend article first of title seven of chapter two of part four of the Revised Statutes, relating to coroners' inquests;" which was committed to a committee of the whole.

Mr. Lacy, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act to amend the act entitled 'An act authorizing the supervisors of the county of Erie, to raise money by tax to rebuild a certain bridge,' passed April 16, 1836;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Mack, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to authorize Philip Church junior, to erect and maintain a dam across the Genesee river, in the county of Allegany;" which was agreed to by the Senate, and the bill

ordered to a third reading.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act for the relief of the executors of the last will and testament of John Ireland, deceased."

Also the bill, entitled "An act concerning the compensation of the

superintendent of common schools."

W. L. MARCY.

Albany, April 14, 1837.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act to incorporate the Norwich and Ithaca Turnpike Road Company,' passed May 25, 1836;" which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to incorporate the Groton Academy:"
"An act to incorporate the Southold Academy:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on literature.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act authorizing the clerk of Chenango county to transcribe a

docket of common pleas judgments in his office:"

"An act to amend an act entitled 'An act to authorize the supervisors of the county of Allegany, to raise money to build a bridge over the Genesee river at Portageville,' passed May 2, 1835:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to a select committee, consisting of the

senators attending the Senate from the sixth senate district.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to amend an act entitled 'An act to revive and amend the charter of the Watertown and Rome Rail-Road Company,' passed May 10, 1836:"

".An act to amend the charter of the Buffalo Marine Railway Com-

Which were read the first time, and by unanimous consent were also

read a second time, and referred to the committee on rail-roads.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act for the relief of the Chenango canal contractors;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to empower the supervisors of Genesee and Livingston counties, to raise money to build a bridge across the Genesee river at St. Helena;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the eighth senate district.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Catharine Lamb;" which was read the first time, and by unanimous consent was also read a second time, and referred

to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act appointing commissioners to lay out a road between the village of Fredonia and the village of Jamestown, in the county of Chautauque;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Two several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the

following titles, to wit:

"An act to amend an act entitled 'An act to incorporate the village

of Lockport,' passed March 26th, 1829:"

"An act to amend an act to establish fire limits in the village of Poughkeepsie, and for other purposes, passed 26th May, 1836:

Which were presented to his excellency the Governor by the clerk. The bill entitled "An act to provide for the erection of district school buildings in each district east of Perry-street, in the city of Albany," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

Mr. Beckwith gave notice that he would, on some future day, ask leave to introduce a bill to repeal the charter of the Oneida Bank.

The Senate then took up the report of the committee of the whole on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the state of New-York for safe keeping."

Thereupon,

The said report was read in the words following, to wit:

An Act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the state of New-York for safe keeping.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

§ 1. The income which shall arise from the investment of the share of the surplus moneys of the treasury of the United States, as has been or shall be deposited with this state for safe keeping, under the thirteenth section of the act of congress, entitled "An act to regulate the deposites of the public moneys," passed June 23, 1836, after deducting the charges thereon, shall be expended for the purposes of education, in the manner following, viz: Five thousand dollars of the income aforesaid shall, for the period of five years, if the said moneys remain in deposite with this state so long, be annually paid to Geneva college, to be applied exclusively by said college towards the payment of the wages of the professors and teachers in such college; the first payment to be made on the first day of January, one thousand eight hundred and thirty-nine: And the sum of five thousand dollars of the said income shall, for the same period and for the like purposes, and at the same time, be annually paid to Hamilton college: And the sum of five thousand dollars of the said income shall, for the same period and for the like purposes, and at the same time, be annually paid to the University of the city of New-York: And six sevenths of the residue of the said income, shall be applied for the benefit of common schools; and the remaining one seventh of said residue, shall be appropriated to the literature fund.

§ 2. The sum of one hundred and ten thousand dollars of that portion of the income mentioned in the preceding section, to be applied for the benefit of common schools, shall be annually distributed to the common schools, in like manner and upon the like conditions as the school moneys are now or shall be hereafter distributed, the first distribution to be made in the year one thousand eight hundred thirty-nine; and the residue of such income so to be applied for the benefit of common schools, shall be annually added to the capital of the common school fund.

§ 3. The sum of nineteen thousand dollars of the income aforesaid to be annually appropriated to the literature fund as aforesaid, shall be annually appropriated to the several counties of this state, according to the population thereof, by the regents of the university; and the portion for each county shall be distributed to all such incorporated academies therein, as the said regents shall have satisfactory evidence at the time of such distribution do possess sufficient buildings for the accommodation of students, and also a sufficient library and apparatus, and a competent classical teacher; the first distribution to be made on the first day of February, one thousand eight hundred and thirty-nine. The moneys to be apportioned to such academies according to the number of such of their students as would be allowed to be classical students by the regents of the university, provided such academies were entitled to a distributive share of the income of the literature fund. But if there

should be any county in which there is no academy, which in the epinion of the regents of the university possesses such buildings, library and apparatus, and classical teacher, as aforesaid, then the share of such county shall be distributed to the common schools therein, in like manner and upon the like conditions as the school moneys are now or shall be hereafter distributed.

- 4. The sum of twenty-four thousand dollars of the income aforesaid to be annually appropriated to the literature fund as aforesaid, shall be annually applied, under the direction of the regents of the university, to establish a department for the education of common school teachers in one academy in each of the counties of this state, in which there now is or shall hereafter be an academy entitled to a distributive share of the income of the literature fund and possessing a sufficient library and apparatus, and in which county such a department has not already been established: But in such counties where no academy exists which is entitled to share in the income of the literature fund, the said regents may establish such department in any academical institution therein, which shall be satisfactorily proved to possess sufficient buildings, library, apparatus, and other requisites for successfully conducting such department. And the said regents shall be authorized to transfer any department from any academy where, in their opinion, such department, after a fair trial, shall not be judiciously and successfully conducted, to any other academy in the same county, if there be any other therein. And the residue of the income appropriated to the literature fund by the first section of this act, if any, shall be annually added to the capital of the said fund.
- § 5. The comptroller is hereby required to invest the sums of money herein before directed to be annually added to the capitals of the common school fund and of the literature fund, in like manner as he is now authorized to invest the moneys belonging to the capital of the common school fund.
- § 6. In case the comptroller and superintendent of common schools shall deem it most advantageous to the common school fund and to the literature fund, or to either of said funds, to invest on bond and mortgage any of the moneys mentioned in the next preceding section, to be added to the capitals of said funds, the comptroller may cause the same to be loaned out, by any of the commissioners of loans who shall be appointed by the authority of the laws of this state for the purpose of loaning the moneys mentioned in the first section of this act; and the comptroller, in case the said commissioners shall be selected to loan said moneys, shall prescribe the form of the securities to be taken, the terms and conditions of payment, and all other regulations calculated in his judgment to render secure the said moneys and the punctual payment of the interest which may accrue thereon.
- § 7. Such of the said commissioners who shall be intrusted in pursuance of the next preceding section with the duty of loaning the moneys therein mentioned, shall, in respect thereto, be subject to the like penalties, liabilities, forfeitures, restrictions and regulations, and receive the same compensation and advantages as shall be provided by law in relation to the other moneys to be loaned by said commissioners; and

shall furthermore observe all the regulations which the comptroller may prescribe, in relation to the loaning of the said moneys so to be added to the capitals of the common school and literature funds as aforesaid.

Thereupon,

Mr. President put the question on agreeing to the third section of the said report, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Powers
Mr. Dickinson	Mr. J. P. Jones	Mr. Spraker
Mr. Downing	Mr. Mack	Mr. Sterling
Mr. Edwards	Mr. Maison	Mr. Tallmadge
Mr. Hunter	Mr. Paige	Mr. Wager
Mr. Huntington		

FOR THE NEGATIVE.

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Mr. Beckwith Mr. Lacy Mr. Loomis	Mr. McLean Mr. Willes	Mr. Works Mr. Young	7
	Mr. Willes	Mr. Young	

Mr. Maison moved to amend the first section of said report, by adding after the words "New-York," in the 18th line, the words following, to wit:

"And the sum of two thousand dollars shall be annually appropriated for five years to the collegiate school in Poughkeepsie, to be applied in the same manner and for the like purposes, and payable at the same time, as the appropriation to Geneva college."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong Mr. Beckwith Mr. McLean Mr. Tallmadge Mr. Dickinson Mr. Mack Mr. Wager Mr. Edwards Mr. Paige Mr. Willes Mr. Hunter Mr. Powers Mr. Johnson Mr. Spraker Mr. Young Mr. Lacy	•
Mr. Lacy	

FOR THE AFFIRMATIVE.

Mr.	Downing	Mr. J. P. Jones	Mr. Maisen
Mr.	Huntington		

Mr. Maison further moved to amend the said report, by inserting after the word "New-York," in the 18th line of the first section, the following words, to wit:

"And said institutions, in consideration of the annuities aforesaid, shall each of them establish a department for instructing in the art of common school teaching, and teaching the ordinary branches of education commonly taught in academies. Each of said institutions shall annually teach not exceeding fifty scholars as school teachers, under the directions of the regents of the university, who shall direct the number of scholars to be educated for the purpose of teaching in academies."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Sterling	
Mr. Beckwith	Mr. Loomis	Mr. Tallmadge	
Mr. Dickinson	Mr. Paige	Mr. Wager	
Mr. Hunter	Mr. Powers	Mr. Works	
Mr. Johnson	Mr. Spraker	Mr. Young	
Mr. J. P. Jones			16

FOR THE AFFIRMATIVE.

Mr. Downing	Mr. McLean	Mr. Maison	
Mr. Edwards	Mr. Mack	Mr. Willes	
Mr. Huntington			7

Mr. President then put the question on agreeing to the first section of said report, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Arm Mr. Dow Mr. Edv Mr. Hun	vards I	Mr. Johnson Mr. J. P. Jones Mr. Mack Mr. Paige For THE NEGATIVE.	Mr. Mr. Mr.	Powers Sterling Tallmadge Wager	12
Mr. Beck	cwith]	Mr. Loomis	Mr.	Willes	

Mr. Dickinson Mr. McLean Mr. Works
Mr. Hunter Mr. Maison Mr. Young
Mr. Lacy Mr. Spraker 11

Mr. President then put the question on agreeing to the fourth section of said report, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Beckwith	Mr. Lacy	Mr. Spraker	
Mr. Edwards	Mr. Loomis	Mr. Willes	
Mr. Hunter	Mr. Maison	Mr. Works	12
Mr. Huntington	Mr. Powers	Mr. Young	

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Sterling	
Mr. Dickinson	Mr. McLean	Mr. Tallmadge	
Mr. Downing	Mr. Mack	Mr. Wager	
Mr. Johnson	Mr. Paige	•	11

Mr. Spraker then moved to recommit said bill to a committee of the whole.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong Mr. Dickinson	Mr. J. P. Jones Mr. McLean	Mr. Wager Mr. Willes	
Mr. Downing	Mr. Mack	Mr. Works	
Mr. Hunter	Mr. Paige	Mr. Young	
Mr. Johnson	Mr. Powers		14

FOR THE AFFIRMATIVE.

Mr. Beckwith	Mr. Lacy	Mr. Spraker	
Mr. Edwards	Mr. Loomis	Mr. Sterling	
Mr. Huntington	Mr. Maison	Mr. Tallmadge	9

Mr. Johnson moved to reconsider the vote on rejecting the fourth section of said report.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Sterling
Mr. Dickinson	Mr. McLean	Mr. Tallmadge

Mr. Downing	Mr. Mack	Mr. Wager	•
Mr. Edwards	Mr. Paige	Mr. Willes	
Mr. Johnson	, -		13

FOR THE NEGATIVE.

Mr. Beckwith	Mr. Loomis	Mr. Spraker	
Mr. Hunter	Mr. Maison	Mr. Works	
Mr. Huntington	Mr. Powers	Mr. Young	
Mr. Lacy		•	10

Ordered, That said report be laid on the table.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, two several bills, of the following titles, to wit:

"An act to annex a part of the town of Kirkland to the town of

Paris':"

"An act to widen Main-street on the south side thereof, between Liberty and Academy-street, in the village of Poughkeepsie."

Thereupon,

The said engrossed bill, entitled "An act to annex a part of the town of Kirkland to the town of Paris," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and

request their concurrence to the same.

The said engrossed bill, entitled "An act to widen Main-street on the south side thereof, between Liberty and Academy-street, in the village of Poughkeepsie," was read the third time.

Ordered, That the question on the final passage of the said bill be

laid on the table.

The bill from the Assembly, entitled "An act to amend the act entitled 'An act authorizing the supervisors of the county of Erie, to raise money by tax to rebuild a certain bridge,' passed April 16, 1836," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act vesting certain powers in the commissioners of highways of the town of Norwich," with the

engrossed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act for the relief of Abra-

ham K. Smith," was read the third time and passed.

The bill from the Assembly, entitled "An act authorizing the board of supervisors of the county of Washington, to raise money by tax to rebuild certain bridges," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" and the bill from the Assembly, entitled "An act to present

[Senate Journal.]

usury;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Willes, on behalf of Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock on Monday morning next.

MONDAY, 10 O'CLOCK, A. M.—APRIL 17, 1837.

The Senate met pursuant to adjournment.

Mr. Sterling presented the remonstrance of sundry inhabitants of Watertown, against the repeal of the charter of the Sackett's-Harbor Bank; which was read, and referred to the committee on banks and insurance companies.

Mr. Sterling presented the remonstrance of inhabitants of Clayton, against the repeal of the charter of the Sackett's-Harbor Bank; which was read, and referred to the committee on banks and insurance com-

panies.

Mr. Beckwith

Mr. Lacy

Mr. Wager presented affidavits of sundry stockholders of the Oneida. Bank, relative to their purchases of stock; which were read, and laid on the table.

Mr. Wager moved that said affidavits be printed.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. Dickinson Mr. Downing Mr. Edwards Mr. Hunter Mr. Huntington	Mr. Johnson Mr. J. P. Jones Mr. McLean Mr. Mack Mr. Maison Mr. Paige	Mr. Powers Mr. Sterling Mr. Tallmadge Mr. Wager Mr. Works	. 17
	FOR THE NEGATI	VE.	

[See Senate Document No. 61.]

Mr. Willes

Mr. Young

6

Mr. Loomis

Mr. Spraker

Mr. Sterling presented a list of the stockholders of the Sackett's-Harbor Bank, and M. A. Stow's affidavit; also an original letter from Raw-

don, Wright & Hatch to Wm. H. Angel, dated February 5, 1836, and Freeman Rawdon's affidavit verifying the same; which were read, and referred to the committee on banks and insurance companies.

Mr. Mack presented the remonstrance of sundry inhabitants of Dryden, against annexing a part of that town to Groton; which was read, and referred to the committee on the division of towns and counties.

Mr. Dickinson presented the petition of the trustees of the village of New-Berlin, for the organization of an additional engine company in said village; which was read, and referred to the committee on the in-

corporation of cities and villages.

Mr. Tallmadge presented the petition of Joseph P. Simpson and others, for a law authorizing the common council of New-York to increase the pay of officers attending courts; which was read, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

Mr. Loomis presented the petition of Nathaniel Garrow and others. praying the incorporation of the Auburn Hydraulic Association; which

was read, and referred to the committee on manufactures.

Mr. Young, from the committee on literature, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Southold Academy;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Young, from the committee on literature, reported against the bill from the Assembly, entitled "An act to incorporate the Groton Aca-

demy;" which was committed to a committee of the whole.

Mr. Young, from the committee on literature, to whom was referred the petition of the directors of the American Society for the diffusion of useful knowledge, brought in a bill, entitled "An act to incorporate the American Society for the diffusion of useful knowledge;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act for the relief of Catharine Lamb;" which was agreed to by the Senate, and the bill

ordered to a third reading.

Mr. Loomis, from the committee on manufactures, reported with amendments, the bill from the Assembly, entitled "An act authorizing the appointment of two additional inspectors of lumber for the city and county of Albany, and for other purposes;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Willes, from the committee on roads and bridges, reported with amendments, the bill from the Assembly, entitled "An act to incorporate the Dashville Turnpike Company;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third

reading.

Mr. Armstrong, from the committee on canals, reported without amendment, the bill from the Assembly, entitled "An act to amend the act for the relief of the Chenango canal contractors;" which was referred to the committee of the whole, when on the bill entitled "An act to authorize associations for the purpose of banking."

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of Gouverneur Morris and others, brought in a bill, entitled "An act to authorize the building a free bridge across the Harlaem river;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engressed for a third reading.

Mr. Willes, from the committee on roads and bridges, reported against the bill from the Assembly, entitled "An act to provide for such alteration in the line or route of any turnpike road or highway through the county of Westchester, as may be rendered necessary by the plan adopted for supplying the city of New-York with pure and wholesome water, under and by virtue of the act for that purpose, passed May 2, 1834;"

which was committed to a committee of the whole.

Mr. Beckwith, from the committee on the division of towns and counties, reported against the bill from the Assembly, entitled "An act to divide the town of Erwin, in the county of Steuben;" which was committed to a committee of the whole.

Mr. Mack, from the committee on rail-roads, reported without amendment, two several bills from the Assembly, of the following titles, to

wit:

"An act to amend an act entitled 'An act to revive and amend the charter of the Watertown and Rome Rail-Road Company,' passed May 10, 1836:"

"An act to amend the charter of the Buffalo Marine Railway Com-

pany:"

Which was agreed to by the Senate, and the bills ordered to a third

reading.

Mr. Spraker, from a select committee, reported with an amendment, the bill from the Assembly, entitled "An act for the partial organization of the county of Hamilton;" which was agreed to by the Senate, the amendment ordered to be engrossed, and the bill to a third reading.

Mr. Mack, from a select committee, reported without amendment, two

several bills from the Assembly, of the following titles, to wit:

"An act authorizing the clerk of Chenango county to transcribe a

docket of common pleas judgments in his office:"

"An act to amend an act entitled 'An act to authorize the supervisors of the county of Allegany, to raise money to build a bridge over the Genesee river at Portageville,' passed May 2, 1835:"

Which was agreed to by the Senate, and the bills ordered to a third

reading.

Mr. Mack, from the select committee to which was referred the bill entitled "An act further to amend the act to incorporate the village of Ithaca," reported the same with amendments; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The bill entitled "An act authorizing William Edwards and Harlow Hyde to establish a ferry across Great Sodus bay," was received from the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

A bill was received from the Assembly for concurrence, entitled "An

act relative to the Methodist Book Concern in the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

Ordered, That the committee on the judiciary be discharged from the further consideration of the petition of Thaddeus Phelps and others, for a repeal of the law in relation to public weighers, and that the same be referred to a select committee, consisting of the senators attending the

Senate from the first senate district.

Ordered, That the committee on banks and insurance companies be discharged from the two several petitions of sundry inhabitants of the county of Jefferson, praying for a general bank law, and for the more effectual suppression of usury, and that the same be referred to the committee of the whole, when on the bill entitled "An act to authorize associations for the purpose of banking."

Ordered, That the committee on finance be discharged from the further consideration of the bill from the Assembly, entitled "An act to amend article fifth, title tenth, chapter ninth, part first of the Revised Statutes, entitled 'Regulations and penalties on the inspection, packing and removal of salt, and the payment of duties," and that the same

be referred to the committee on manufactures.

On motion of Mr. Dickinson,

Resolved, That the Canal Appraisers be requested to communicate to the Senate their reasons for rejecting the applications of Nathan Hall, William Skillinger and William P. Couch, for damages upon the Chemung canal.

Mr. Beckwith, in pursuance of notice heretofore given, brought in a bill, entitled "An act to repeal the charter of the Oneida Bank;" which was read the first time, and by unanimous consent was also read a se-

cond time.

Ordered, That said bill be made the special order of the day for

Thursday of next week, and that the same be printed.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled "An act to incorporate the American Society for the diffusion of useful knowledge."

Thereupon,

The said engrossed bill was read the third time and passed; twothirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. Beckwith	Mr. Lacy	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Sterling
Mr. Downing	Mr. McLean	Mr. Tallmadge
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson		

The engrossed bill, entitled "An act to widen Main-street on the south side thereof, between Liberty and Academy-streets in the village of Poughkeepsie," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. Beckwith	Mr. Lacy	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Sterling
Mr. Downing	Mr. McLean	Mr. Tallmadge
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	_	

Ordered, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

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The bill from the Assembly, entitled "An act to authorize Philip Church junior to erect and maintain a dam across the Genesee river in the county of Allegany," with the engrossed amendments, was read the third time.

Mr. Loomis moved to lay the question on the final passage of the said bill on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Paige	
Mr. Dickinson	Mr. J. P. Jones	Mr. Powers	
Mr. Downing	Mr. Lacy	Mr. Spraker	
Mr. Edwards	Mr. McLean	Mr. Sterling	
Mr. Hunter	Mr. Mack	Mr. Tallmadge	
Mr. Huntington	Mr. Maison	Mr. Works	18

FOR THE AFFIRMATIVE.

Mr. Beckwith	Mr. Seger	Mr. Willes	
Mr. Loomis	_		4

Thereupon,

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The bill from the Assembly, entitled "An act for the partial organization of the county of Hamilton," with the engreesed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act authorizing the ap-

pointment of two additional inspectors of lumber for the city and county of Albany," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act for the relief of Catharine Lamb," with the engrossed amendments, was read the third

time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act authorizing the clerk of Chenango county to transcribe a docket of common pleas judgments in him offer ?"

in his office," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to prevent usury;" the bill from the Assembly, entitled "An act to amend the act for the relief of the Chenango canal contractors;" and the bill entitled "An act to authorize associations for the purpose of banking;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

'Then the Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M.—APRIL 18, 1837.

The Senate met pursuant to adjournment.

Mr. Sterling presented the resignation of Wm. H. Angel, Esq. as cashier of the Sackett's-Harbor Bank, and a request of the directors to the president to resign; which was read, and referred to the committee on banks and insurance companies.

Mr. Lacy, from the committee on charitable and religious societies, reported without amendment, the bill from the Assembly, entitled "An act relative to the Methodist Book Concern in the city of New-York;" which was agreed to by the Senate, and the bill ordered to a third read-

ıng.

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of Leffert Lefferts and others, and the petition of the Brooklyn and Jamaica Rail-Road Company, for an alteration of their turnpike road in the city of Brooklyn, brought in a bill, entitled "An act to authorize the Brooklyn and Jamaica Rail-Road Company to alter the route of part of the Brooklyn and Jamaica Turnpike Road;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Wager, from the committee on banks and insurance companies, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act incorporating the Fifth Ward Fire Insurance Company in the city of New-York,' passed April 13, 1836;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lacy, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to empower the supervisors of Genesee and Livingston counties, to raise money to build a bridge across the Genesee river at St. Helena;" which was agreed to by the Senate,

and the bill ordered to a third reading.

Mr. Wager, from the select committee to which was referred the petition of sundry inhabitants of Cooperstown, in Otsego county, brought in a bill, entitled "An act in relation to the supreme court commissioner residing at Cooperstown, Otsego county;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Livingston, from the committee on canals, reported against two

several bills from the Assembly, of the following titles, to wit:

"An act to authorize the survey of the Conewango canal, with a

branch to Lake Erie:"

"An act to extend the Chemung canal, and to authorize a survey of a canal route from Elmira to the north line of the state of Pennsylvania:"

Which were committed to a committee of the whole.

Mr. Livingston, from the select committee to which was referred the petition of sundry inhabitants of the city of New-York, for the incorporation of a floating dry dock company, reported against the prayer of the petition; which was agreed to by the Senate.

A message from his excellency the Governor, delivered by his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act to amend an act entitled 'An act to incorporate the village of Lockport,' passed March 26th, 1829."

Also the bill, entitled "An act to amend an act to establish fire limits in the village of Poughkeepsie, and for other purposes, passed 26th May,

1836."

W. L. MARCY.

Albany, April 17, 1837.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the Comptroller of this State to loan money to the county of Jefferson;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the fifth senate district.

A bill was received from the Assembly for concurrence, entitled "An

act to divide the town of Hancock, in the county of Delaware;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the Rochester Female Academy," and that the same be referred to a select committee, consisting of the senators attending the

Senate from the eighth senate district, to report complete.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the Gas-light Company of the city of New-York,' passed March 26, 1823," and that the same be ordered to a third reading.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, two several bills, of the following titles, to wit:

"An act further to amend the act to incorporate the village of Ithaca:"

"An act to incorporate the Rosendale Turnpike Company."

Thereupon,

The said engrossed bill, entitled "An act to incorporate the Rosendale Turnpike Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger	
Mr. Beckwith	Mr. Lacy	Mr. Spraker	
Mr. Dickinson	Mr. Lawyer	Mr. Sterling	
Mr. Downing	Mr. Livingston	Mr. Tallmadge	
Mr. Edwards	Mr. Loomis	Mr. Van Dyck	
Mr. Hunter	Mr. Mack	Mr. Wager	
Mr. Huntington	Mr. Maison	Mr. Willes	
Mr. Johnson	Mr. Paige	Mr. Works	24

Ordered, That the clerk deliver said bill to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act incorporating the Fifth Ward Fire Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. Beckwith	~	Mr. Sterling
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes

Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Powers	Mr. Young
Mr. T D Tongo	Mr Seger	•

The bill from the Assembly, entitled "An act to incorporate the Southold Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger	
Mr. Beckwith	Mr. Lawyer	Mr. Spraker	
Mr. Dickinson	Mr. Livingston	Mr. Sterling	
Mr. Downing	Mr. Loomis	Mr. Tallmadge	
Mr. Edwards	Mr. Mack	Mr. Wager	
Mr. Hunter	Mr. Maison	Mr. Willes	
Mr. Johnson	Mr. Paige	Mr. Works	
Mr. J. P. Jones	Mr. Powers	Mr. Young	24

The bill from the Assembly, entitled "An act to empower the supervisors of Genesee and Livingston counties, to raise money to build a bridge across the Genesee river at St. Helena," was read the third time and passed.

The bill from the Assembly, entitled "An act relative to the Methodist Book Concern in the city of New-York," was read the third time

and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the Gas-light Company of the city of New-York,'" with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Sterling	
Mr. Beckwith	Mr. Lawyer	Mr. Tallmadge	
Mr. Dickinson	Mr. Livingston	Mr. Van Dyck	
Mr. Downing	Mr. Loomis	Mr. Wager	
Mr. Edwards	Mr. Mack	Mr. Willes	
Mr. Hunter	Mr. Maison	Mr. Works	
Mr. Johnson	Mr. Paige	Mr. Young	
Mr. J. P. Jones	Mr. Seger	3	

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

23

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to prevent usury;" the bill from the Assembly, entitled "An act to amend the act for the relief of the Chenango canal contractors;" and the bill entitled "An act to authorize associations for the purpose of banking;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M.—APRIL 19, 1837.

The Senate met pursuant to adjournment.

Mr. Sterling presented the remonstrance of sundry inhabitants of Jefferson county, against the repeal of the charter of the Sackett's-Harbor Bank; which was read, and referred to the committee on banks and insurance companies.

Mr. Sterling presented two several remonstrances of sundry citizens of Oswego and Brownville, against the repeal of the charter of the Sackett's-Harbor Bank; which was read, and referred to the committee on banks and incurrence committee.

on banks and insurance companies.

Mr. Wager presented the petition of sundry inhabitants of Oneida county, for a general bank law, subject to the safety fund act; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Loomis, from the committee on manufactures, reported without amendment, the bill from the Assembly, entitled "An act to amend article fifth, title tenth, chapter ninth, part first of the Revised Statutes, entitled 'Regulations and penalties on the inspection, packing and removal of salt, and the payment of duties;" which was agreed to by

the Senate, and the bill ordered to a third reading.

Mr. Seger, from the committee on the incorporation of cities and villages, to whom was referred the petition of the trustees of the village of Catskill, for the passage of a law authorizing them to subscribe for, purchase or take \$100,000 of stock in the Catskill and Canajoharie Rail-Road, brought in a bill, entitled "An act authorizing the trustees of the village of Catskill, or their successors in office, to subscribe for two thousand shares in the increased capital stock of the Canajoharie and Catskill Rail-Road Company, and to borrow money to pay for the same;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the third senate district, to report complete.

Mr. Paige, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act to amend an act entitled "An

act to incorporate the city of Troy, and for other purposes;" which was agreed to by the Senate, the amendments ordered to be engrossed,

and the bill to a third reading.

Mr. Beckwith, from the committee on the division of towns and counties, reported without amendment, the bill from the Assembly, entitled "An act to divide the town of Hancock, in the county of Delaware;" which was committed to a committee of the whole.

Mr. Lacy, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Rochester Female Academy;" which was agreed to by the Senate, and the

bill ordered to a third reading.

Mr. Dickinson, from the committee on canals, reported without amendment, the bill from the Assembly, entitled "An act further to amend the act entitled 'An act authorizing the Canal Commissioners to deepen the upper level of the Crooked Lake canal, and for other purposes," passed May 11, 1835;" which was committed to a committee of the whole.

A message from his excellency the Governor, delivered by his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act authorizing William Edwards and Harlow Hyde to establish a ferry across Great Sodus bay."

Also the bill, entitled "An act to renew the act entitled 'An act to amend an act entitled 'An act to authorize the erection of a dam across the Genesee river, at Mount-Morris,' passed April 15, 1829."

W. L. MARCY.

Albany, April 18, 1837.

A report was received from the Canal Appraisers, on the resolution of the Senate requesting them to communicate their reasons for rejecting the applications of Nathan Hall, William Skillinger and William P. Couch, for damages upon the Chemung canal; which was read.

[See Senate Document No. 70.]

Ordered, That the said report be laid on the table.

The bill entitled "An act authorizing the appointment of two additional inspectors of lumber for the city and county of Albany," was received from the Assembly, with a message informing that they do not concur with the Senate in their amendments to the said bill.

Ordered, That said bill, with the amendments, be laid on the table. The bill entitled "An act to incorporate the Franklindale Fire Company in Dutchess county," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Resolved, That the Senate do concur with the Assembly in their said

amendments to the said bill; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. Beckwith	Mr. Lawyer	Mr. Sterling
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Van Dyck
Mr. Edwards	Mr. Maison	Mr. Wager
Mr. Hunter	Mr. Paige	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Works
Mr. Johnson,	Mr. Seger	Mr. Young
Mr. I D Issue		•

Mr. J. P. Jones

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Ordered, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

Three several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to wit:

"An act vesting certain powers in the commissioners of highways of the town of Norwich:"

"An act to authorize Philip Church junior to erect and maintain a dam across the Genesee river, in the county of Allegany:"

"An act for the relief of Catharine Lamb:"
The said amended bills having been examined,

Ordered. That the clerk return the same to the Assembly.

Urdered, That the cierk return the same to the Assembly,

Two several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to amend the act entitled 'An act to incorporate the village of Penn-Yan, in the county of Yates,' passed April 29, 1833:"

"An act to amend the act entitled 'An act to incorporate the village of Fredonia:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the incorporation of cities and villages.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act for the relief of Gloudy Hamilton and James Quigg:"

"An act to amend the act entitled 'An act to improve the Seneca river,' passed May 12, 1836:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Medina Academy;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act confirming the official acts of the town officers of the town of Nia-

gara, in the county of Ningara;" which was read the first time, and by unanimous consent was also read a second time, and referred to the

committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the president and trustees of the village of Oswego, to loan money;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee; consisting of the senators attending the Senate from the fifth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to require the supervisors of the counties of Cayuga and Seneca, to raise money to repair the free bridge across Seneca river, and the road across the Cayuga marsh;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

The Senate then took up the report of the committee of the whole on the bill entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and de-

posited with the state of New-York for safe keeping."

Thereupon,

The fourth section of the said report was again read, in the words following, to wit:

i 4. The sum of twenty-four thousand dollars of the income aforesaid to be annually appropriated to the literature fund as aforesaid, shall be annually applied, under the direction of the regents of the university, to establish a department for the education of common school teachers in one academy in each of the counties of this state, in which there now is or shall hereafter be an academy entitled to a distributive share of the income of the literature fund and possessing a sufficient library and apparatus, and in which county such a department has not already been established: But in such counties where no academy exists which is entitled to share in the income of the literature fund, the said regents may establish such department in any academical institution therein, which shall be satisfactorily proved to possess sufficient buildings, library, apparatus, and other requisites for successfully conducting such department. And the said regents shall be authorized to transfer any department from any academy where, in their opinion, such department, after a fair trial, shall not be judiciously and successfully conducted, to any other academy in the same county, if there be any other therein. And the residue of the income appropriated to the literature fund by the first section of this act, if any, shall be annually added to the capital of the said fund.

Mr. President put the question on agreeing to the said section, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE APPIRMATIVE.

Mr. Armstrong Mr. L. Beardsley Mr. Dickinson Mr. Downing Mr. Huntington	Mr. Johnson Mr. J. P. Jones Mr. Lawyer Mr. Mack Mr. Maison	Mr. Paige Mr. Seger Mr. Sterling Mr. Tallmadge Mr. Wager	15
Mi. Humingon	MI. MEMBUII	wir waser	10

FOR THE NEGATIVE.

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Mr. Beckwith Mr. Edwards Mr. Hunter Mr. Lacy	Mr. Livingston Mr. Loomis Mr. Powers Mr. Spraker	Mr. Van Dyck Mr. Works Mr. Young	11

Thereupen,

The said report was agreed to by the Senate, and the bill ordered to

be engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act for the relief of Amaziah Stebbins," and that the same be engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to increase the compensation of the State prison guards," and that the

same be ordered to a third reading.

The engrossed bill, entitled "An act to incorporate the village of Port-Ontario, in the town of Richland, in the county of Oswego," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardaley	Mr. Lawyer	Mr. Spraker
Mr. Beckwith	Mr. Livingston	Mr. Sterling
Mr. Dickinson	Mr. Loomie	Mr. Tallmadge
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Edwards	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Powers	Mr. Young
Mr. J. P. Jones		

FOR THE NEGATIVE.

Mr. Willes 1

The engroused bill, entitled "An act to authorize the building of a private bridge across the Harlaem river," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. Beckwith	Mr. Lawyer	Mr. Sterling
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Edwards	Mr. Maison	Mr. Wager
Mr. Hunter	Mr. Paige	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Works
Mr. Johnson	Mr. Seger	Mr. Young
Mr. J. P. Jones		

The engressed bill, entitled "An act to amend an act entitled 'An act to incorporate the Jackson Marine Insurance Company in the city of New-York,' passed April 23, 1831," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Beckwith	Mr. Loomis	Mr. Tallmadge
Mr. Dickinson	Mr. Mack	Mr. Van Dyck
Mr. Downing	Mr. Maison	Mr. Wager
Mr. Edwards	Mr. Paige	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Works
Mr. J. P. Jones	Mr. Seger	Mr. Young
Mr. Lacy		

The engrossed bill, entitled "An act in relation to the supreme court commissioner residing at Cooperstown, Otsego county," was read the third time and passed.

Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act for the relief of Nathan Hall and others," was read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. L. Beardsley	Mr. Livingston Mr. Mack	Mr. Sterling Mr. Tallmadge	
Mr. Dickinson	Mr. Maison	Mr. Wager	
Mr. Downing Mr. Huntington	Mr. Paige Mr. Seger	Mr. Works	14

FOR THE NEGATIVE.

Mr. Beckwith	Mr. J. P. Jones	Mr. Powers	
Mr. Edwards	Mr. Lacy	Mr. Van Dyck	
Mr. Hunter	Mr. Lawyer	Mr. Willes	
Mr. Johnson	Mr. Loomis	Mr. Young	12

The bill from the Assembly, entitled "An act to provide for the sale of the Cemetery ground in the village of Oswego," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. L. Beardsley	Mr. Lacy	Mr. Seger
Mr. Beckwith	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tallmadge
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson		

FOR THE NEGATIVE.

Mr. Young

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The bill from the Assembly, entitled "An act to amend article fifth, title tenth, chapter ninth, part first of the Revised Statutes, entitled 'Regulations and penalties on the inspection, packing and removal of salt, and the payment of duties,' " was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the Rochester Female Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Paige
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Seger
Mr. Beckwith	Mr. Lacy	Mr. Sterling
Mr. Dickinson	Mr. Lawyer	Mr. Wager
Mr. Downing	Mr. Livingston	Mr. Willes
Mr. Edwards	Mr. Loomis	Mr. Works
Mr. Hunter	Mr. Mack	Mr. Young
Mr. Huntington		•

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

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The bill from the Assembly, entitled "An act to increase the compensation of the State prison guards," was read the third time.

Mr. President put the question on the final passage of said bill, and

it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Beckwith	Mr. Livingston	Mr. Sterling	
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge	
Mr. Johnson	Mr. Mack	Mr. Willes	
Mr. J. P. Jones	Mr. Paige	Mr. Works	
Mr. Lacy	Mr. Powers	Mr. Young	
Mr. Lawyer	Mr. Spraker		17

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Hunter	Mr. Seger	
Mr. L. Beardsley	Mr. Huntington	Mr. Van Dyck	
Mr. Downing Mr. Edwards	Mr. Maison	Mr. Wager	10

Thereupon,

Resolved, That the said bill be rejected.

Ordered, That the clerk deliver said bill, and a copy of said resolu-

tion to the Assembly.

The bill from the Assembly, entitled "An act to incorporate the Lenox Basin and Chenango Canal Turnpike Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. J. P. Jones	Mr. Powers	
Mr. Lacy	Mr. Seger	
Mr. Livingston	Mr. Sterling	
Mr. Loomis		
Mr. Mack		
Mr. Maison		
Mr. Paige	Mr. Young	24
	Mr. Lacy Mr. Lawyer Mr. Livingston Mr. Loomis Mr. Mack Mr. Maison	Mr. Lacy Mr. Seger Mr. Lawyer Mr. Spraker Mr. Sterling Mr. Loomis Mr. Tallmadge Mr. Mack Mr. Van Dyck Mr. Maison Mr. Wager

FOR THE NEGATIVE.

Mr. Willes	Mr. Works	, ·	3

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the city of Troy, and for other purposes," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers	
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker	
Mr. Beckwith	Mr. Lawyer	Mr. Sterling	
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge	
Mr. Downing	Mr. Loomis	Mr. Van Dyck	
Mr. Edwards	Mr. Mack	Mr. Wager	
Mr. Hunter	Mr. Maison	Mr. Works	
Mr. Johnson	Mr. Paige	Mr. Young	24

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to prevent usury;" the bill from the Assembly, entitled "An act to amend the act for the relief of the Chenango canal contractors;" and the bill entitled "An act to authorize associations for the purpose of banking;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M.—APRIL 20, 1837.

The Senate met pursuant to adjournment.

Mr. Tallmadge presented the petition of William A. Thompson and Maria his wife, for a law authorizing Maria Thompson to bequeath certain real estate; which was read, and referred to the committee on the judiciary.

Mr. Livingston presented the memorial of the Chamber of Commerce, against the passage of the act to prevent usury; which was read, and referred to the committee of the whole when on the bill on that subject.

Ordered, That the said memorial be printed.

[See Senate Document No. 62.]

Mr. Johnson presented the remonstrance of sundry citizens of Hudson, residing out of the compact part of said city, against the erection of a new town within the bounds of the corporation of said city; which

was read, and referred to the committee of the whole when on the bill

on that subject.

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition and remonstrances of sundry inhabitants of the counties of Livingston and Genesee, in relation to a renewal of the charter of the Avon Bridge Company, reported against the prayer of the said petition; which was agreed to by the Senate, and the committee discharged from the further consideration of the said petition.

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of sundry inhabitants of Canajoharie, in Montgomery county, brought in a bill, entitled "An act to incorporate the Canajoharie and Sharon Turnpike Company;" which was read the first time, and by unanimous consent was also read a second time, and the

bill ordered to be engrossed for a third reading.

Mr. Willes, from the committee on roads and bridges, reported with amendments, the bill from the Assembly, entitled "An act authorizing the construction of a McAdam or hard road from the village of Fort-Plain to Springfield;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Loomis, from the committee on charitable and religious societies, to whom was referred the petition of Thomas Gough and others, brought in a bill, entitled "An act to incorporate the Albany St. Patrick's Benefit Society;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Loomis, from the committee on manufactures, to whom was referred the petition of Nathaniel Garrow and others, brought in a bill, entitled "An act to incorporate the Auburn Hydraulic Association;" which was read the first time, and by unanimous consent was also read

a second time, and ordered to be engrossed for a third reading.

Mr. Beckwith, from the committee on the division of towns and counties, to whom was referred the petition of inhabitants of township No. 21, in Totten and Crossfield's purchase, Hamilton county, brought in a bill, entitled "An act to erect the town of Long-Lake, in the county of Hamilton;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Seger, from the committee on the incorporation of cities and villages, reported without amendment, the bill from the Assembly, entitled "An act to authorize the corporation of the city of Albany to borrow money for the purposes therein montioned;" which was agreed to by

the Senate, and the bill ordered to a third reading.

Mr. Powers, from the select committee to which was referred the bill entitled "An act authorizing the trustees of the village of Catskill, or their successors in office, to subscribe for two thousand shares in the increased capital stock of the Canajoharie and Catskill Rail-Road Company, and to borrow money to pay for the same," to report complete, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Dickinson asked for, and by unanimous consent obtained leave

to bring in a bill, entitled "An act to authorize the circuit judge of the sixth judicial district, to fix the time of holding circuit courts in the counties of Allegany and Cattaraugus;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

The bill entitled "An act incorporating the Fayetteville Academy," was received from the Assembly, with a message informing that they

had passed the same with the amendments therewith delivered.

Ordered, That said bill, with the amendments, be laid on the table. The bill entitled "An act to amend the act entitled 'An act authorizing the supervisors of the county of Erie, to raise money by tax to rebuild a certain bridge,' passed April 16, 1836," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, with amendments.

Thereupon,

Resolved, That the Senate do concur with the Assembly in their amendments to the amendments of the Senate to the said bill.

Ordered, That the clerk deliver said bill and a copy of said resolu-

tion to the Assembly.

Six several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act to amend an act entitled 'An act to incorporate the Canajoharie and Catskill Rail-Road Company,' passed April 19, 1830:"

"An act to revive an act entitled 'An act to incorporate the Union and Vestal Bridge Company,' passed April 22, 1831:"

"An act authorizing the Secretary of State to purchase five hundred

copies of the Revised Statutes:"

"An act to incorporate the Broome County Mutual Insurance Com-

pany:"

"An act to revive and amend the act entitled 'An act to incorporate the Westchester and Putnam Insurance Company,' passed May 6, 1835:"

"An act to widen Main-street on the south side thereof, between Liberty and Academy-street, in the village of Poughkeepsie:"

Which were presented to his excellency the Governor by the clerk.

A bill was received from the Assembly for concurrence, entitled "An act for the appointment of a harbor-master for the port of Albany;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the third senate district.

A bill was received from the Assembly for concurrence, entitled "An act in relation to writs of habeas corpus and certiorari;" which was read the first time, and by unanimous consent was also read a second

time, and referred to the committee on the judiciary,

A bill was received from the Assembly for concurrence, entitled "An act to amend an act authorizing the supervisors of Erie and Cattaraugus counties, to raise money to build a bridge over the Cattaraugus creek at Zoar;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee,

consisting of the senators attending the Senate from the eighth senate district.

Two several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act in relation to the Scottsville and Le Roy Rail-Road Com-

"An act to amend the charter of the Aurora and Buffalo Rail-Read Company:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on rail-roads.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Buffalo Orphan Asylum;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

Three several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to extend the charter of the Nichols and Tioga Bridge Company:"

"An act to revive and amend an act entitled 'An act to incorporate

the Deposit Bridge Company:"

"An act to authorize the raising of money to build a bridge over Cat-

taraugus creek at Allen's mills:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

Two several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to incorporate the Seneca-Falls Academy:"

"An act to incorporate the Westfield Academy:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to improve the navigation of the Albany basin,' passed April 14, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to amend the act entitled 'An act to incorporate the city of Troy, and for other purposes:'"

"An act to incorporate the village of Moravia, in the county of

Cayuga:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the incorporation of cities and villages.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, two several bills, of the following titles, to wit:

"An act for the relief of Amaziah Stebbins:"

"An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the state of New-York for safe keeping."

Thereupon,

The said engressed bill, entitled "An act to appropriate the income arising from the investment of certain moneys belonging to the United States, and deposited with the state of New-York for safe keeping," was read the third time.

Mr. President put the question on the final passage of the said bill,

and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

POR THE APPIRMATIVE.

Mr. Armstrong Mr. L. Beardsley Mr. Dickinson Mr. Downing Mr. Edwards		Mr. Huntington Mr. Johnson Mr. J. P. Jones Mr. Lawyer Mr. Mack	Mr. Paige Mr. Seger Mr. Sterling Mr. Wager Mr. Willes	15
Mr. Edw ards	•	Mr. Mack	Mr. Willes	15

FOR THE NEGATIVE.

Mr. Beckwith	Mr. Maison	Mr. Van Dyck	
Mr. Lacy	Mr. Powers	Mr. Works	
Mr. Loomis	Mr. Spraker	Mr. Young	9

The engressed bill, entitled "An act to incorporate the Schoharie Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger	
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker	
Mr. Dickinson	Mr. Livingston	Mr. Van Dyck	
Mr. Downing	Mr. Loomis	Mr. Wager	
Mr. Edwards	Mr. Mack	Mr. Willes	
Mr. Huntington	Mr. Maison	Mr. Works	
Mr. Johnson	Mr. Paige	Mr. Young	
Mr. J. P. Jones	Mr. Powers		23

The engrossed bill, entitled "An act to incorporate the Ames Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Livingston	Mr. Van Dyck
Mr. Downing	Mr. Boomis	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes

. Mr. Huntington	Mr. Maison	Mr. Works	
Mr. Johnson	Mr. Paige	Mr. Young	
Mr. J. P. Jones	Mr. Powers	_	23

Ordered, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

The engrossed bill, entitled "An act for the relief of Amaziah Steb-

bins," was read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. L. Beardsley	Mr. Lacy	Mr. Seger	
Mr. Beckwith	Mr. Loomis	Mr. Van Dyck	
Mr. Edwards	Mr. Paige	Mr. Willes	
Mr. Johnson	Mr. Powers	Mr. Young	
Mr. J. P. Jones			13

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Huntington	Mr. Sterling	
Mr. Dickinson	Mr. Mack	Mr. Wager	
Mr. Downing	Mr. Maison	Mr. Works	9

The bill from the Assembly, entitled "An act authorizing the construction of a McAdam or hard read from the village of Fort-Plain to Springfield," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Dickinson	Mr. Loomis	Mr. Van Dyck
Mr. Downing	Mr. Mack	Mr. Wager
Mr. Edwards	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Powers	Mr. Young
Mr. J. P. Jones	Mr. Seger	. 23

The bill from the Assembly, entitled "An act to amend the charter of the village of Seneca-Falls," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker
Mr. L. Beardeley	Mr. Loomis	Mr. Sterling
Mr. Dickinson	Mr. Mack	Mr. Van Dyck
Mr. Downing	Mr. Maison	Mr. Wager
Mr. Edwards	Mr. Paige	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Works
Mr. Johnson	Mr. Seger	Mr. Young
Mr. Lacy		

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amend-

ments therewith delivered.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to authorize the supervisors of the county of Allegany, to raise money to build a bridge over the Genesee river at Portageville,' passed May 2, 1835," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" the bill from the Assembly, entitled "An act to amend the act for the relief of the Chenango canal contractors;" and the bill from the Assembly, entitled "An act to prevent usury;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Livingston,

Resolved, That when the Senate adjourns, it will adjourn to meet at 4 o'clock this afternoon.

Then the Senate adjourned until 4 o'clock, P. M.

4 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" the bill from the Assembly, entitled "An act to amend the act for the relief of the Chenango canal contractors;" and the bill from the Assembly, entitled "An act to prevent usury;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Paige, on behalf of Mr. Seger, from the said committee, reported progress, and saked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

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FRIDAY, 10 O'CLOCK, A. M.—APRIL 21, 1837.

The Senate met pursuant to adjournment.

Mr. Sterling presented two several remonstrances of sundry citizens of Adams and Sackett's-Harbor, against the repeal of the charter of the Sackett's-Harbor Bank; which were read, and referred to the committee

on banks and insurance companies.

Mr. Johnson presented the remonstrance of the common council of the city of Hudson, against the passage of the bill for erecting a new town from within the limits of the corporation of said city; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. L. Beardsley presented a petition from sundry inhabitants of Medina, praying for the passage of an act amending the charter of said

village; which was read, and laid on the table.

Mr. Mack, from the committee on rail-roads, reported without amendment, two several bills from the Assembly, of the following titles, to wit:

"An act to amend the charter of the Aurora and Buffalo Rail-Road

Company:"

"An act in relation to the Scottsville and Le Roy Rail-Road Company:"

Which was agreed to by the Senate, and the bills ordered to a third

reading.

Mr. Lacy, from the committee on charitable and religious societies, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Buffalo Orphan Asylum;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Livingston, from the committee on canals, reported with amendments, the bill from the Assembly, entitled "An act for the relief of

John P. Smith and others, contractors on the Chenango canal."

Thereupon,

Mr. Johnson moved to commit the said bill to a committee of the whole.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Johnson	Mr. McLean	Mr. Van Dyck
Mr. J. P. Jones	Mr. Paige	Mr. Willes
Mr. Lacy	Mr. Powers	Mr. Works
Mr. Lawyer	Mr. Spraker	Mr. Young
Mr. Loomis	Mr. Sterling	

FOR THE NEGATIVE.

Mr. Armstrong Mr. Edwards Mr. Mack
Mr. Dickinson Mr. Huntington Mr. Seger
Mr. Downing Mr. Livingston Mr. Wager

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act in relation to writs of habeas corpus and certiorari;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Young, from the committee on literature, reported against the bill from the Assembly, entitled "An act to incorporate the Medina Aca-

demy;" which was committed to a committee of the whole.

Mr. Young, from the committee on literature, reported without amendment, two several bills from the Assembly, of the following titles, to wit:

"An act to incorporate the Westfield Academy:"
"An act to incorporate the Seneca-Falls Academy:"
Which were committed to a committee of the whole.

Mr. Paige, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act for the appointment of a harbor-master for the port of Albany;" which was agreed to by the Senate,

and the bill ordered to a third reading.

Mr. L. Beardsley, from the committee on finance, reported without amendment, the bill from the Assembly, entitled "An act authorizing the payment of money due the contractors for constructing the Cedar-Point Road, in the county of Essex;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. L: Beardsley, from the committee on finance, reported without amendment, the bill from the Assembly, entitled "An act to release to the mayor, aldermen and commonalty of the city of New-York, a certain piece of ground in the sixth ward of the said city;" which was com-

mitted to a committee of the whole.

Mr. Lacy, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to amend an act authorizing the supervisors of Erie and Cattaraugus counties, to raise money to build a bridge over the Cattaraugus creek at Zoar;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Mack, from a select committee, reported against the bill, entitled "An act to repeal an act entitled 'An act to appoint commissioners to lay out a public highway in the county of Chenango,' passed May 25,

1836;" which was committed to a committee of the whole.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act authorizing the Secretary of State to purchase five hundred copies of the Revised Statutes."

Also the bill, entitled "An act to revive an act entitled 'An act to incorporate the Union and Vestal Bridge Company,' passed April 22d, 1831."

Also the bill, entitled "An act to amend an act entitled 'An act to incorporate the Canajoharie and Catskill Rail-Road Company,' passed April 19, 1830."

Also the bill, entitled "An act to incorporate the Broome County Mu-

tual Insurance Company."

Also the bill, entitled "An act to revive and amend the act entitled 'An act to incorporate the Westchester and Putnam Insurance Com-

pany,' passed May 6, 1835."

Also the bill, entitled "An act to widen Main-street on the south side thereof, between Liberty and Academy-street, in the village of Pough-keepsie."

W. L. MARCY.

Albany, April 20, 1837.

Two several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act to regulate the distribution of bank stock:"

"An act to regulate the powers and duties of public administrators and surrogates, relative to the property and effects of foreigners:"

Which were presented to his excellency the Governor by the clerk.

Four several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to wit:

"An act to amend an act entitled 'An act to incorporate the city of Troy, and for other purposes:' "

"An act to incorporate the Lenox Basin and Chenango Canal Turnpike Company:"

"An act for the partial organization of the county of Hamilton:"

"An act concerning common schools:"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act for the further relief of the Eye Infirmary of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to incorporate the Green-

"An act to incorporate the Green-Port and Shelter Island Ferry Company:"

"An act to incorporate the Lopers' Ferry Company:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act declaring certain waters to be pub-

lie highways, allowing certain dams to be built, and for preventing obstructions in the Hudson river and certain other waters,' passed April 2d, 1813;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the second senate district.

A bill was received from the Assembly for concurrence, entitled "An act authorizing certain persons to erect and maintain docks on the East river and Bushwick inlet, in the village of Williamsburgh," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

Two several bills were received from the Assembly for concurrence.

of the following titles, to wit:

"An act to amend section fifty-six, part second, chapter sixth, title fourth of the Revised Statutes, as altered by the legislature, relative to sales by executors in the city and county of New-York:"

"An act declaring what testimony shall be admissible in certain ca-

ses in the courts of this State:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the construction of a navigable feeder from the Conesus outlet to the Genesee Valley canal;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act for the relief of William Russell:"
"An act for the relief of Dan Chapman:"

Which were read the first time, and by unanimous consent were also

read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of the Western Eye and Ear Infirmary;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

Two several bills were received from the Assembly for concurrence.

of the following titles, to wit:

"An act to incorporate the village of Attica:"

"An act relative to fire companies in the town of Niagara:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the incorporation

of cities and villages.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to amend title second of chapter fifteenth of part first of the Revised Statutes, entitled 'Of common schools,'" and that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to erect the town of

Forrestburgh, in the county of Sullivan," and that the same be engros-

sed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the Groton Academy," and that the same be referred to a select committee, consisting of the senators attending the Senate from the sixth senate district.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to provide for such alteration in the line or route of any turnpike, road or highway through the counties of Westchester, as may be rendered necessary by the plan adopted for supplying the city of New-York with pure and wholesome water, under and by virtue of the act for that purpose, passed May 2, 1834," and that the same be referred to a select committee, consisting of the senators attending the Senate from the first and second senate districts.

Mr. L. Beardsley moved that the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to prevent usury," and that the same be recommitted to the committee on the judiciary.

Mr. Young moved to lay the said motion on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Johnson	Mr. Paige	
Mr. J. Beardsley.	Mr. J. P. Jones	Mr. Powers	
Mr. L. Beardsley	Mr. Lacy	Mr. Seger	
Mr. Dickinson	Mr. Lawyer	Mr. Sterling	
Mr. Downing	Mr. McLean	Mr. Wager	
Mr. Huntington	Mr. Mack	Mr. Works	18

FOR THE AFFIRMATIVE.

Mr. Edwards Mr. Livingston Mr. Loomis	Mr. Spraker Mr. Van Dyck	Mr. Willes Mr. Young	
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Thereupon,

Mr. President put the question on agreeing to recommit, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Mack
Mr. J. Beardsley	Mr. Lacy	Mr. Paige

Mr. Johnson

FOR THE NEGATIVE.

19

Mr. Edwards Mr. Van Dyck Mr. Willes
Mr. Spraker Mr. Wager Mr. Young 6

Ordered, That the committee on canals be discharged from the further consideration of the bill from the Assembly, entitled "An act to amend an act entitled 'An act to improve the navigation of the Albany basin,' passed April 14, 1836," and that the same be referred to a select committee, consisting of the senators attending the Senate from the third senate district.

Mr. Livingston asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to alter the map or plan of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third

reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to provide for the better repairing certain roads in the town of Coeymans," and that the same be referred to a select committee, consisting of the senators attending the Senate from the third senate district.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act relative to a tax on dogs in the counties of Yates, Wayne and Cayuga,"

and that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the Canton Academy," and that the same be ordered to

a third reading.

Ordered, That the committee on the judiciary be discharged from the further consideration of the memorial of the owners of real estate in the county of Westchester, against the act entitled "An act to provide for supplying the city of New-York with pure and wholesome water, passed May 2, 1834," and that the same be referred to a select committee, consisting of the senators attending the Senate from the first and second senate districts.

The Senate then took up the consideration of the bill from the Assembly, entitled "An act authorizing the appointment of two additional inspectors of lumber for the city and county of Albany," together with the amendments of the Senate thereto, which were non-concurred in by

the Assembly.

Mr. President put the question on adhering to the said amendments,

and it was decided in the affirmative.

The year and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Powers
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Downing	Mr. Livingston	Mr. Sterling
Mr. Edwards	Mr. Loomis	Mr. Van Dyck
Mr. Huntington	Mr. McLean	Mr. Willes
Mr. Johnson	Mr. Paige	Mr. Young

FOR THE NEGATIVE.

18

Mr. Mack Mr. Seger Mr. Works 3

Thereupon,

Resolved, That the Senate do adhere to their said amendments to the said bill.

Ordered, That the clerk deliver said bill and amendments, and a

copy of said resolution to the Assembly.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, six several bills, of the following titles, to wit:

"An act to incorporate the Auburn Hydraulic Association:"
"An act to incorporate the Saint Patrick's Benefit Society:"

"An act authorizing the trustees of the village of Catskill, or their successors in office, to subscribe for two thousand shares in the increased capital stock of the Canajoharie and Catskill Rail-Road Company, and to borrow money to pay for the same:"

"An act to incorporate the Canajoharie and Sharon Turnpike Com-

pany:"

"An act to authorize the circuit judge of the sixth judicial district, to fix the time of holding circuit courts in the counties of Allegany and Cattaraugus:"

"An act to erect the town of Long-Lake, in the county of Hamil-

ton."

Thereupon,

The said engrossed bill, entitled "An act to erect the town of Long-Lake, in the county of Hamilton," was read the third time and passed.

The said engrossed bill, entitled "An act to authorize the circuit judge of the sixth judicial district, to fix the time of holding circuit courts in the counties of Allegany and Cattaraugus," was read the third time and passed.

The said engrossed bill, entitled "An act to incorporate the Canajoharie and Sharon Turnpike Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in

favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraket
Mr. Armstrong Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Dickinson	Mr. Loomis	Mr. Van Dyck
Mr. Downing	Mr. McLean	Mr. Wager

Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Powers	Mr. Young
Mr Tacy	Mr. Seger	

Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act authorizing the payment of money due the contractors for constructing the Cedar point road in the county of Essex," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend an act authorizing the supervisors of Erie and Cattaraugus, to raise money to build a bridge over the Cattaraugus creek at Zoar," was read the third time and passed.

The bill from the Assembly, entitled "An act in relation to writs of habeas corpus and certiorari," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

Then the Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M.—APRIL 22, 1837.

The Senate met pursuant to adjournment.

Mr. Lawyer presented the remonstrance of sundry inhabitants of Schoharie county, against the passage of a law to build a bridge across the Schoharie creek near Dyckman's ferry; which was read, and referred to the committee on roads and bridges.

Mr. Loomis presented the remonstrance of stockholders of the Warsaw and Le Roy Rail-Road Company, against an extension of the charter of the said company; which was read, and referred to the commit-

tee of the whole when on the bill on that subject.

Mr. Willes, from the committee on roads and bridges, reported against the bill from the Assembly, entitled "An act continuing a ferry across the Schoharie river;" which was committed to a committee of the whole.

Mr. Willes, from the committee on road and bridges, reported-with amendments, two several bills from the Assembly, of the following titles, to wit:

"An act appointing commissioners to lay out and open a public highway from the last line of the town of Watson, in the county of Lewis, to Moriah, in the county of Essex:"

"An act to extend the charter of the Nichols and Tioga Bridge Com-

pany:"

Which were committed to a committee of the whole.

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Mr. Willes, from the committee on roads and bridges, reported without amendment, two several bills from the Assembly, of the following titles, to wit:

"An act to require the supervisors of the counties of Cayuga and Seneca, to raise money to repair the free bridge across Seneca river and the road across the Cayuga marsh:"

"An act to authorize the raising of money to build a bridge over Cat-

taraugus creek at Allen's mills:"

Which were committed to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, reported without amendment, two several bills from the Assembly, of the following titles, to wit:

"An act to incorporate the Green-Port and Shelter Island Ferry Com-

"An act to incorporate the Loper's Ferry Company:"

Which was agreed to by the Senate, and the bills ordered to a third

reading.

Mr. Livingston, from the committee on canals, reported without amendment, the bill from the Assembly, entitled "An act to authorize the mayor and common council of the city of Brooklyn, to construct a canal in said city, from the East river to the Gowanus bay;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Edwards, from the committee on the judiciary, reported against the bill from the Assembly, entitled "An act declaring what testimony shall be admissible in certain cases in the courts of this State;" which

was committed to a committee of the whole.

Mr. Edwards, from the committee on the judiciary, reported without expressing any opinion thereon, the bill from the Assembly, entitled "An act to amend section fifty-six, part two, chapter six, title fourth of the Revised Statutes, as altered by the legislature, relative to sales by executors in the city and county of New-York;" which was committed to a committee of the whole.

Mr. Van Dyck, from a select committee, reported with an amendment of the title, the bill from the Assembly, entitled "An act to amend an act entitled 'An act declaring certain waters to be public highways, allowing certain dams to be built, and for preventing obstructions in the Hudson river and certain other waters,' passed April 2, 1813;" which was agreed to by the Senate, and the bill ordered to a third reading.

A message from his excellency the Governor, delivered by his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act to regulate the powers and duties of public administrators and surrogates, relative to the property and effects of foreigners."

W. L. MARCY.

Albany, April 21, 1837.

The bill entitled "An act incorporating the Fayetteville Academy," was received from the Assembly, with a message informing that they

had passed the same with the amendments therewith delivered.

Ordered, That said bill, with the amendments, be laid on the table. The bill entitled "An act to amend the charter of the village of Seneca-Falls," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

Two several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act to amend the act for the erection of the town of Stockbridge,

passed May 10, 1836:"

"An act to incorporate the Ames Academy:"

Which were presented to his excellency the Governor by the clerk. Three several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to authorize the supervisors of the county of Wayne, to raise an additional sum of money to build a bridge over Clyde river, in the town of Galen:"

"An act to amend the charter of the Malden Turnpike Company:" "An act to increase the capital stock of the Maspeth Avenue and

Toll Bridge Company:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to enlarge the powers of towns in certain cases;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act in relation to bills of costs;" which was read the first time, and by unanimous consent was also read a second time, and referred to the

committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Society for the relief of half orphan and destitute children in the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, two several bills, of the following titles, to wit:

"An act to alter the map or plan of the city of New-York:"

"An act to erect the town of Forrestburgh, in the county of Sullivan."

Thereupon,

The said engrossed bill, entitled "An act to alter the map or plan of

the city of New-York," was read the third time and passed.

The said engrossed bill, entitled "An act to erect the town of Forrestburgh, in the county of Sullivan," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and

request their concurrence to the same.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act declaring certain waters to be public highways, allowing certain dams to be built, and for preventing obstructions in the Hudson river and certain other waters,' passed April 2, 1813," with an amendment of the title, was read the third time and passed.

The bill from the Assembly, entitled "An act relative to a tax on dogs in the counties of Yates, Wayne and Cayuga," with the engros-

sed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amend-

ments therewith delivered.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the Neatmoose Turnpike Company," and that the same be ordered to a third reading.

Ordered, That the bill from the Assembly, entitled "An act for the relief of John P. Smith and others, contractors on the Chenango ca-

nal," be made the special order of the day for Monday next.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" and the bill from the Assembly, entitled "An act to amend the act for the relief of the Chenango canal contractors;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock on Monday morning next.

MONDAY, 10 O'CLOCK, A. M.—APRIL 24, 1837.

The Senate met pursuant to adjournment.

Mr. Maison presented the petition of sundry inhabitants of the county of Dutchess, praying a repeal of the act prohibiting the issuing of bank bills under the denomination of five dollars; which was read, and referred to the committee on banks and insurance companies.

Mr. McLean presented the petition of commissioners of highways of Greenwich, Washington county, praying for a loan of money; which

was read, and referred to the committee on roads and bridges.

Mr. Dickinson presented the petition of inhabitants of Smyrna and Sherburne, praying for the repeal of the act appointing commissioners to lay out a road from Smyrna to Earlville; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Seger presented the petition of sundry inhabitants of Lewis county, for the incorporation of the Collinsville Institute; which was read, and referred to the committee on literature.

Mr. Wager presented the remonstrance of inhabitants of Oneida county, against a repeal of the charter of the Oneida Bank; which was read, and referred to the committee of the whole, when on the bill on that subject.

Mr. Wager presented the remonstrance of sundry citizens of Oneida county, against a repeal of the Sackett's-Harbor Bank; which was read, and referred to the committee on banks and insurance companies.

Mr. Loomis presented the memorial of a public meeting held in the town of Champion, Jefferson county, against the repeal of the charter of the Sackett's-Harbor Bank; which was read, and referred to the committee on banks and insurance companies.

Mr. Loomis presented the remonstrance of Jeremiah Jillett, against the passage of the act amending the act authorizing the Canal Commissioners to deepen the upper level of the Crooked Lake canal; which was read, and referred to the committee on canals.

Mr. Wager presented an affidavit of Dan Chapman; which was

read, and referred to the committee on claims.

Mr. Seger, from the committee on the incorporation of cities and villages, reported without amendment, three several bills from the Assembly, of the following titles, to wit:

"An act relative to fire companies in the town of Niagara:"

"An act in relation to the village of Palmyra, in the county of Wayne:"

"An act to amend the act entitled 'An act to incorporate the village of Fredonia:'"

Which was agreed to by the Senate, and the bills ordered to a third

reading.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to authorize the supervisors of the county of Wayne, to raise an additional sum of money to build a bridge over Clyde river, in the town of Galen;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Willes, from the committee on roads and bridges, reported with amendments, the bill from the Assembly, entitled "An act to revive and amend an act entitled 'An act to incorporate the Deposite Bridge Company;'" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Armstrong, from the committee on canals, reported against the bill from the Assembly, entitled "An act to authorize the construction of a navigable feeder from the Conesus outlet to the Genesee Valley

canal;" which was committed to a committee of the whole.

Mr. L. Beardsley, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act to incorporate the Genesso Hydraulic Company;" which was agreed to by the Senate, the amendments ordered to be engressed, and the bill to a third reading.

Mr. Seger, from a select committee, reported without amendment, two

several bills from the Assembly, of the following titles, to wit:

"An act authorizing the Comptroller of this State to loan money to the county of Jefferson:"

"An act authorizing the president and trustees of the village of Os-

wego, to loan money:"

Which were agreed to by the Senate, and the bills ordered to a third

reading.

Mr. Seger, from the select committee to which was referred the bill entitled "An act confirming the classification and official acts of certain justices of the peace in the county of Lewis," to report complete, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

A message from his excellency the Governor, delivered by his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act to regulate the distribution of bank stock."

Also the bill, entitled "An act to incorporate the Ames Academy:"
Also the bill, entitled "An act to amend the act for the erection of the town of Stockbridge, passed May 10, 1836."

W. L. MARCY.

22

Albany, April 22, 1837.

The bill entitled "An act to incorporate the Utica Female Academy," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Resolved, That the Senate do concur with the Assembly in their said amendments to the said bill; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Paige
Mr. L. Beardsley	Mr. Lawyer	Mr. Seger
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Wager
Mr. Edwards	Mr. McLean	Mr. Willes
Mr. Hunter	Mr. Mack	Mr. Works
Mr. Huntington	Mr. Maison	Mr. Young
Mr. Johnson		

The bill entitled "An act to incorporate the Schobarie Academy," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Resolved, That the Senate do concur with the Assembly in their said amendments to the said bill; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Paige
Mr. L. Beardsley	Mr. Lawyer	Mr. Seger
Mr. Dickinson	Mr. Livingston	Mr: Tallmadge
Mr. Downing	Mr. Loomis	Mr. Wager
Mr. Edwards	Mr. McLean	Mr. Willes
Mr. Hunter	Mr. Mack	Mr. Works
Mr. Huntington	Mr. Maison	Mr. Young

Ordered, That the clerk deliver said bills, and copies of said resolutions to the Assembly.

22

Three several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act to incorporate the village of Port-Ontario, in the town of

Richland, in the county of Oswego:"

Mr. Johnson

"An act to amend an act entitled 'An act to incorporate the Jackson Marine Insurance Company in the city of New-York,' passed April 23, 1831:"

"An act to authorize the circuit judge of the sixth judicial district, to fix the time of holding circuit courts in the counties of Allegany and Cattaraugus:"

Which were presented to his excellency the Governor by the clerk.

Two several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to wit:

"An act to incorporate the village of Black-Rock:"

"An act authorizing the construction of a McAdam or hard road, from the village of Fort-Plain to Springfield:"

The said amended bills having been examined,

Ordered. That the clerk return the same to the Assembly.

The bill entitled "An act authorizing the appointment of two additional inspectors of lumber for the city and county of Albany," was received from the Assembly, with a message informing that they had receded from their resolution of non-concurrence in the amendments of the Senate to the said bill, and had amended it accordingly.

The said amended bill having been examined,

Ordered. That the clerk return the same to the Assembly.

Three several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to authorize the supervisors of the county of Orleans, to raise money to complete the building of a bridge across the Oak Orchard creek, at or near the head of still water, in the town of Castleton:"

"An act authorizing money to be raised by tax to improve certain

roads in the county of Erie:"

"An act to incorporate the Chemung Bridge Company:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

Two several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to incorporate the Coxsackie Academy:"

"An act to revive the act incorporating the Troy Academy, and to unite the same with the Rensselaer Institute:"

Which were read the first time, and by unanimous consent were also

read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to change the name and location of the Poughkeepsie Stock-frame and Cotton Manufacturing Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence, entitled "An act to divide the town of Olean, in the county of Cattaraugus;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act relative to the auditing of town accounts in the county of Ontario;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the seventh senate district.

Mr. Loomis asked for and obtained leave of absence for Mr. J. P.

Jones for one week.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the Seneca-Falls Academy," and that the same be ordered to a third reading.

The bill from the Assembly, entitled "An act to incorporate the Canton Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows,

to wit:

FOR THE AFFIRMATIVE. .

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Huntington	Mr. Paige	Mr. Young
Mr. Johnson	, • • • • •	

The bill from the Assembly, entitled "An act to incorporate the Green-Port and Shelter Island Ferry Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

POR THE APPLRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Huntington	Mr. Paige	Mr. Young
Mr. Johnson	•	ं ज

The bill from the Assembly, entitled "An act to incorporate the Buffalo Orphan Asylum," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Seger
Mr. L. Beardsley	Mr. Livingston	Mr. Språker
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Johnson	Mr. Paige	Mr. Young
Mr. Lacy	J	• •

The bill from the Assembly, entitled "An act to incorporate the Lopers' Ferry Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardeley	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Wille
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Huntington	Mr. Paige	Mr. Young
Mr. Johnson		J

The bill from the Assembly, entitled "An act in relation to the village of Palmyra, in the county of Wayne," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Seger
Mr. L. Beardsley	Mr. Livingston	Mr. Spraker
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Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Huntington	Mr. Maison	Mr. Works
Mr. Johnson	Mr. Paige	Mr. Young
Mr. Lacy		–

The bill from the Assembly, entitled "An act relative to fire companies in the town of Niagara," was read the third time and passed.

The bill from the Assembly, entitled "An act to authorize the supervisors of the county of Wayne, to raise an additional sum of money to build a bridge over Clyde river, in the town of Galen," was read the third time and passed.

The bill from the Assembly, entitled "An act authorizing the comptroller of this State to loan money to the county of Jefferson," was read

the third time and passed.

The bill from the Assembly, entitled "An act to authorize the mayor and common council of the city of Brooklyn, to construct a canal in said city, from the East river to the Gowanus bay," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Huntington	Mr. Paige	Mr. Young
Mr. Johnson	•	

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act authorizing the president and trustees of the village of Oswego, to loan money," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Huntington	Mr. Paige	Mr. Young
Mr. Johnson		z oung

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The bill from the Assembly, entitled "An act to revive and amend an act entitled 'An act to incorporate the Deposite Bridge Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Scnate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Huntington	Mr. Paige	Mr. Young
Mr. Johnson		2 vang

The bill from the Assembly, entitled "An act to incorporate the Neatmoose Turnpike Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Wager
Mr. Edwards	Mr. McLean	Mr. Willes
Mr. Hunter	Mr. Mack	Mr. Works
Mr. Huntington	Mr. Maison	Mr. Young
Mr Johnson	Mr Paige	7.7.1 T GHT-8

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

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The bill from the Assembly, entitled "An act to amend title second of chapter fifteenth of part first of the Revised Statutes, entitled 'Of common schools," was read the third time and lost.

Thereupon.

Resolved, That the said bill be rejected.

Ordered, That the clerk deliver said bill, and a copy of said resolu-

tion to the Assembly.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" and the bill from the Assembly, entitled "An act to amend the act for the relief of the Chenango canal contractors;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-merrow morning.

TUESDAY, 10 O'CLOCK, A. M.—APRIL 95, 1887.

The Senate met pursuant to adjournment.

Mr. Loomis presented the remonstrance of A. Remer and others, ewaers of hydraulic privileges on the outlet of Crooked lake, against the passage of the bill to deepen the upper level of the Crooked Lake canal; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Wager presented the remonstrance of sundry inhabitants of the county of Oneida, against a repeal of the Oneida Bank; which was read, and referred to the committee of the whole when on the bill on

that subject,

Mr. Van Dyck presented the petition of the commissioners of highways of the towns of Goshen and Minisink, for leave to raise money by tax on those towns, to build a bridge over the Walkill, near George Phillips' mills; which was read, and referred to the committee on roads and bridges.

Mr. Willes, from the committee on roads and bridges, reported without amendment, three several bills from the Assembly, of the following ti-

tles, to wit:

"An act to increase the capital stock of the Maspeth Avenue and

Toll Bridge Company:"

"An act appointing commissioners to lay out a road between the village of Fredonia and the village of Jamestown, in the county of Chautauque:"

"An act authorizing money to be raised by tax to improve certain

roads in the county of Erie:"

Which was agreed to by the Senate, and the bills ordered to a third

reading.

Mr. Willes, from the committee on roads and bridges, reported with amendments, the bill from the Assembly, entitled "An act to amend the charter of the Malden Turnpike Company;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Livingston, from the committee on canals, reported without amendment, the bill from the Assembly, entitled "An act for the relief of Gloudy Hamilton and James Quige;" which was referred to a committee of the whole, when on the bill entitled "An act for the relief of James P. Smith and other contractors on the Chenango canal."

Mr. Lacy, from the committee on charitable and religious societies, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Society for the relief of half orphan and destitute children in the city of New-York;" which was agreed to by the Senate,

and the bill ordered to a third reading.

Mr. Livingston, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act to provide for such alteration in the line or route of any turnpike, road or highway through the county of Westchester, as may be rendered necessary by the plan adopted for supplying the city of New-York with pure and wholesome water,

under and by virtue of the act for that purpose, passed May 21, 1834;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Mack, from the committee on the division of towns and counties, reported without amendment, two several bills from the Assembly, of

the following titles, to wit:

"An act to enlarge the powers of towns in certain cases:"

"An act to divide the town of Olean, in the county of Cattaraugus:"
Which was agreed to by the Senate, and the bills ordered to a third

reading.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Dunkirk Fire and Marine Insurance Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Two several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the

following titles, to wit:

"An act relative to the court of common pleas of the county of Schenectady:"

"An act to alter the map or plan of the city of New-York:"

Which were presented to his excellency the Governor by the clerk.

Two several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to wit:

"An act authorizing the president and trustees of the village of Oswego to borrow money:"

"An act relative to a tax on dogs in the county of Yates:"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

The engrossed bill, entitled "An act to incorporate the Albany Saint Patrick's Benefit Society," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Tallmadge
Mr. Dickinson	Mr. Livingston	Mr. Van Dyck
Mr. Downing	Mr. Loomis	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Huntington	Mr. Powers	Mr. Young
Mr. Johnson		

Ordered, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to incorporate the Se-

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neca Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Tallmadge
Mr. Dickinson	Mr. Livingston	Mr. Van Dyck
Mr. Downing	Mr. Loomis	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Huntington	Mr. Powers	Mr. Young
Mr. Johnson		J

The bill from the Assembly, entitled "An act to divide the town of Olean, in the county of Cattaraugus," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the Society for the relief of half orphan and destitute children in the city of New-York," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Tallmadge
Mr. Dickinson	Mr. Livingston	Mr. Van Dyck
Mr. Downing	Mr. Loomis	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Huntington	Mr. Powers	Mr. Young
Mr Johnson		•

The bill from the Assembly, entitled "An act to increase the capital stock of the Maspeth Avenue and Toll-Bridge Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Tallmadge
Mr. Dickinson	Mr. Livingston	Mr. Van Dyck
Mr. Downing	Mr. Loomis	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Huntington	Mr. Powers	Mr. Young
Mr. Johnson		•

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The bill from the Assembly, entitled "An act appointing commissioners to lay out a road between the village of Fredonia and the village of Jamestown, in the county of Chautauque," was read the third time and passed.

The bill from the Assembly, entitled "An act authorizing money to be raised by tax, to improve certain roads in the county of Erie," was

read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

The bill from the Assembly, entitled "An act to provide for such alteration in the line or route of any turnpike, road or highway through the county of Westchester, as may be rendered necessary by the plan adopted for supplying the city of New-York with pure and wholesome water, under and by virtue of the act for that purpose, passed May 2, 1834," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Tallmadge
Mr. Dickinson	Mr. Livingston	Mr. Van Dyck
Mr. Downing	Mr. Loomis	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Huntington	Mr. Powers	Mr. Young
Mr. Johnson	•	•

The bill from the Assembly, entitled "An act to amend the charter of the Malden Turnpike Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elect ed to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr: Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Tallmadge
Mr. Dickinson	Mr. Livingston	Mr. Van Dyck
Mr. Downing	Mr. Loomis	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Maison	Mr. Works
Mr. Huntington	Mr. Powers	Mr. Young
Mr. Johnson		. •

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of

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banking;" the bill from the Assembly, entitled "An act to amend the act for the relief of the Chenango canal contractors;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Willes, on behalf of Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'cleck te-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M.-APRIL 26, 1837.

The Senate met pursuant to adjournment.

Mr. Loomis presented the proceedings of a public meeting of the citizens of the village of Penn-Yan and vicinity, remonstrating against the passage of the act authorizing the Canal Commissioners to deepen the upper level of the Crocked Lake canal; which was read, and referred to the committee of the whole, when on the bill on that subject.

Mr. Sterling presented the remonstrance of sundry citizens of Oneida county, against a repeal of the charter of the Oneida Bank; which was read, and referred to the committee of the whole, when on the bill on

that subject.

Mr. Seger presented the remonstrance of sundry citizens of Oneida county, against a repeal of the charter of the Oneida Bank; which was read, and referred to the committee of the whole, when on the bill on

that subject.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to authorize the supervisors of the county of Orleans, to raise money to complete the building of a bridge across the Oak Orchard creek, at or near the head of still water, in the town of Castleton;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Willes, from the committee on roads and bridges, reported with amendments, the bill from the Assembly, entitled "An act to incorporate the Chemung Bridge Company;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third

reading.

Mr. Willes, from the committee on reads and bridges, to whom was referred the petition of the commissioners of highways of Greenwich, Washington county, for a loan of money, brought in a bill, entitled "An act to provide for loaning money to the town of Greenwich;" which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engreesed for a third reading.

Mr. Seger, from the committee on the incorporation of cities and villages, reported with amendments, the bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the village of Penn-Yan, in the county of Yates,' passed April 29, 1833;" which

was agreed to by the Senate, the amendments ordered to be engrossed,

and the bill to a third reading.

Mr. Loomis, from the committee on manufactures, reported against the bill from the Assembly, entitled "An act to change the name and location of the Poughkeepsie Stock-frame and Cotton Manufacturing Company;" which was committed to a committee of the whole.

Mr. Loomis, from the committee on manufactures, reported without amendment, the bill from the Assembly, entitled "An act to authorize the superintendent of the salt springs, to procure a supply of water to carry a pump at Liverpool;" which was agreed to by the Senate, and the bill ordered to a third reading.

A copy of a resolution was received from the Assembly, and read, in

the words following, to wit:

Resolved, (if the Senate concur,) That the Canal Commissioners be, and hereby are directed to make an estimate of the expense of the enlargement of the Oswego canal, to the same dimensions as the contemplated enlargement of the Erie canal, and report the same to the next Legislature.

Ordered, That said resolution be referred to the committee on canals. The bill entitled "An act further to amend an act entitled 'An act to incorporate the city of Brooklyn, and for other purposes," was received by the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

Two several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles,

to wit:

"An act to incorporate the Neatmoose Turnpike Company:"

"An act to revive and amend an act entitled 'An act to incorporate the Deposite Bridge Company:'"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

Two several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to amend an act entitled 'An act to divide the town of Mur-

ray, in the county of Orleans,' passed April 7, 1837:"

"An act authorizing the board of supervisors of the county of Rensselaer, to raise money to build a bridge in the town of Hoosick, in said

Which were read the first time, and by unanimous consent were also

read a second time, and ordered to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act relative to the police of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2, 1829;" which was read the first time, and by unanimous consent was also read a second time, and referred to the com-

mittee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act relating to assistant justices' courts in the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Tallmadge moved the following preamble and resolutions:

Whereas, from various causes the monetary affairs of the United States are in a condition of unexampled embarrassment, threatening, if unrelieved, incalculable pecuniary loss to all classes of industry: And whereas, a prominent cause of the existing distress is the operation of the treasury order, requiring specie payments for the public lands, thus producing undue, unnecessary and pernicious accumulation of specie in places remote from the sea board: Therefore,

Resolved, (if the Assembly concur,) As the sense of this Legislature, that a repeal of the treasury order, the wisdom and expediency of which has been indicated by a strong vote in both houses of the late Congress of the United States, ordering the same; and which measure of repeal was defeated in consequence of the late President of the United States refusing his signature to said bill, and not returning the same for the

further action of Congress.

Resolved, That inasmuch as immediate relief is loudly called for by the critical condition of the currency, and the wide spread pecuniary embarrassments that pervade all classes of our fellow-citizens, that the President of the United States be requested to cause an immediate repeal of the treasury order, above referred to.

Resolved, That his excellency the Governor be requested to transmit without delay, a copy of the preceding preamble and resolutions to the

President of the United States.

Ordered, That said preambe and resolutions be referred to the com-

mittee on finance.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to erect the town of Greenport, in the county of Columbia," and that the same be referred to a select committee, consisting of the senators attending the Senate from the sixth senate district.

Mr. Willes moved the following resolution:

Resolved, That whenever the Senate shall adjourn for want of a quorum, the clerk shall call the roll and shall note the names of such members as shall be absent without the leave of the Senate, and that the State printer publish such names with the proceedings of the day.

Ordered, That the said resolution be laid on the table.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the Clinton and Utica McAdam Turnpike Company," and that the same be ordered to a third read.

Mr. Maison moved that the bill from the Assembly, entitled "An act to change the name and location of the Poughkeepsie Stock-frame and Cotton Manufacturing company," be ordered to a third reading.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. L. Beardsley	Mr. Lacy	Mr. Spraker	
Mr. Dickinson	Mr. Lawyer	Mr. Tracy	
Mr. Edwards	Mr. Loomis	Mr. Van Dyck	
Mr. Hunter	Mr. McLean	Mr. Willes	
Mr. Huntington	Mr. Seger	Mr. Young	
Mr. Johnson			16

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Maison	Mr. Tallmadge	
Mr. Downing	Mr. Powers	Mr. Wager	
Mr. Livingston	Mr. Sterling	Mr. Works	
Mr. Mack	· ·	10)

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the Globe Fire Insurance Company," and that the same be referred to a select committee, consisting of the senators attending the Senate from the first senate district.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to incorporate the New-York Shamrock Benevolent Society," and that the same be engrossed for a third reading.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled "An act confirming the classification and official acts of certain justices of the peace in the county of Lewis."

Thereupon,

The said engrossed bill was read the third time and passed.

The engrossed bill, entitled "An act further to amend the act to incorporate the village of Ithaca," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker
Mr. L. Béardsley	Mr. Livingston	Mr. Sterling
Mr. Dickinson	Mr. McLean	Mr. Sterling Mr. Tallmadge
Mr. Downing	Mr. Mack	Mr. Tracy
Mr. Edwards	Mr. Maison	Mr. Wager
Mr. Hunter	Mr. Powers	Mr. Willes
Mr. Huntington	Mr. Seger	Mr. Works
Mr. Johnson		

FOR THE NEGATIVE.

Mr. Lacy

Mr. Loomis

Mr. Van Dyck

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The engrossed bill, entitled "An act to incorporate the Salmon River Harbor Canal Company," was read the third time and passed; twothirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. L. Beardsley Mr. Dickinson Mr. Downing Mr. Edwards Mr. Hunter Mr. Hunter Mr. Hunter	Mr. Lawyer Mr. Livingston Mr. Loomis Mr. McLean Mr. Mack Mr. Maison Mr. Powers	Mr. Spraker Mr. Sterling Mr. Tallmadge Mr. Tracy Mr. Van Dyck Mr. Wager Mr. Works Mr. Voung
Mr. Huntington Mr. Johnson Mr. Lacy	Mr. Powers Mr. Seger	Mr. Works Mr. Young

FOR THE NEGATIVE.

Mr. Willes 1

Ordered, That the clerk deliver the said bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act authorizing the board of supervisors of the county of Rensselaer, to raise money to build a bridge in the town of Hoosick, in said county," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to divide the town of Murray, in the county of Orleans,'

passed April 7, 1837," was read the third time and passed.

The bill from the Assembly, entitled "An act to authorize the superinetndent of the salt springs to procure a supply of water to carry

a pump at Liverpool," was read the third time and passed.

The bill from the Assembly, entitled "An act to authorize the supervisors of the county of Orleans, to raise money to complete the building of a bridge across the Oak Orchard creek, at or near the head of still water, in the town of Castleton," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend the charter of the Aurora and Buffalo Rail-Road Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Dickinson Mr. Downing Mr. Edwards Mr. Hunter Mr. Johnson Mr. Lacy	Mr. McLean Mr. Mack Mr. Maison Mr. Powers Mr. Seger Mr. Spraker	Mr. Tracy Mr. Van Dyck Mr. Wager Mr. Willes Mr. Works Mr. Young
Mr. Lawyer	• •	J

The bill from the Assembly, entitled "An act to amend the charter of the Buffalo Marine Railway Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling	
Mr. L. Beardsley	Mr. Livingston	Mr. Tallmadge	
Mr. Dickinson	Mr. Loomis	Mr. Tracy	
Mr. Downing	Mr. McLean	Mr. Van Dyck	
Mr. Edwards	Mr. Mack	Mr. Wager	
Mr. Hunter	Mr. Maison	Mr. Willes	
Mr. Johnson	Mr. Powers	Mr. Works	
Mr. Lacy	Mr. Seger	Mr. Young	24

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to amend the act incorporating the village of Geneva, in the county of Ontario," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Seger	
Mr. L. Beardsley	Mr. Livingston	Mr. Spraker	
Mr. Dickinson	Mr. Loomis	Mr. Sterling	•
Mr. Downing	Mr. McLean	Mr. Tallmadge	
Mr. Edwards	Mr. Mack	Mr. Van Dyck	
Mr. Hunter	Mr. Maison	Mr. Wager	
Mr. Johnson	Mr. Paige	Mr. Willes	
Mr. Lacy	Mr. Powers	Mr. Works	2

The bill from the Assembly, entitled "An act to incorporate the Chemung Bridge Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling
Mr. L. Beardsley	Mr. Livingston	Mr. Tallmadge
Mr. Dickinson	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Works
Mr. Johnson	Mr. Seger	Mr. Young
Mr. Lacy	Mr. Spraker	_

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

26

25

The Senate then took up the consideration of the amendments of the Assembly to the bill, entitled "An act incorporating the Fayetteville academy."

Thereupon,

Resolved, That the Senate do concur with the Assembly in their said amendments to the said bill; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling
Mr. L. Beardsley	Mr. Loomis	Mr. Tallmadge
Mr. Dickinson	Mr. McLean	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Edwards	Mr. Maison	Mr. Wager
Mr. Hunter	Mr. Powers	Mr. Willes
Mr. Huntington	Mr. Seger	Mr. Works
Mr. Johnson	Mr. Spraker	Mr. Young
Mr. Lacy	•	•

Ordered, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" and the bill from the Assembly, entitled "An act to amend the act for the relief of the Chenango canal contractors;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Jacob Westlake and John M'Connell;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maison, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole,

on the bill entitled "An act to authorize county judges to inspect turnpike roads, and to fix the location of gates thereon;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Maison, from the said committee, reported that they had passed the same with amendments.

Ordered, That the question on agreeing to said report be laid on the

table.

Then the Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M.—APRIL 27, 1837.

The Senate met pursuant to adjournment.

Mr. Willes presented two several petitions of the citizens of Oneida county, praying a repeal of the charter of the Oneida Bank, or a redistribution of the stock; which were read, and referred to the committee of the whole when on the bill on that subject.

Mr. Wager presented seven several remonstrances of sundry citizens of the county of Oneida, against a repeal of the charter of the Oneida Bank; which were read, and referred to the committee of the whole

when on the bill on that subject.

Mr. Van Dyck presented the memorial of sundry inhabitants of the county of Dutchess, against the increase of rag money; which was read, and referred to the committee of the whole, when on the bill on that subject.

Mr. Edwards, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act to prevent

usury;" which was committed to a committee of the whole.

[See Senate Document No. 64.]

Mr. Lacy, from the committee on charitable and religious societies, reported without amendment, the bill from the Assembly, entitled "An act for the relief of the Western Eye and Ear Infirmary;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Loomis, from the committee on charitable and religious societies, reported with amendments, the bill from the Assembly, entitled "An act for the further relief of the Eye Infirmary of the city of New-York," which was agreed to by the Senate, the amendments ordered to be en-

grossed, and the bill to a third reading.

Mr. Armstrong, from the committee on banks and insurance companies, reported against the bill from the Assembly, entitled "An act to amend an act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2, 1829;" which was committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and villages, reported with amendments, the bill from the Assembly, entitled "An act to incorporate the village of Attica;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. McLean, from the committee on literature, reported a bill, entitled "An act to incorporate the Collinsville Institute;" which was read the first time, and by unanimous consent was also read a second time,

and ordered to be engrossed for a third reading.

Mr. McLean, from the committee on literature, reported without amendment, two several bills from the Assembly, of the following titles, to wit:

"An act to incorporate the Coxsackie Academy:"

"An act to revive the act incorporating the Troy Academy, and to unite the same with the Rensselaer Institute:"

Which were committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and villages, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the village of Moravia, in the county of Cayuga;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Livingston, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act to incorporate the Globe Fire Insurance Company;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

A message from his excellency the Governor, delivered by his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

Gentlemen-

I have this day approved and signed the bill, entitled "An act to amend an act entitled 'An act to incorporate the Jackson Marine Insurance Company in the city of New-York,' passed April 23, 1831."

Also the bill, entitled "An act to authorize the circuit judge of the sixth judicial district, to fix the time of holding circuit courts in the counties of Allegany and Cattaraugus."

Also the bill, entitled "An act to incorporate the village of Port-On-

tario, in the town of Richland, in the county of Oswego."

Also the bill, entitled "An act to incorporate the Franklindale Fire Company in Dutchess county."

W. L. MARCY.

Albany, April 24, 1837.

The bill entitled "An act increasing the salary of certain officers therein mentioned," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Ordered, That said bill and amendments be laid on the table. The bill entitled "An act for the relief of Luther Pardee, John I. Beardslee and Lavinia Beardslee," was received from the Assembly with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

A bill was received from the Assembly for concurrence, entitled "An act to annex a part of the town of Morristown to the town of Hammond;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act relating to a work-house in the county of Rensselaer, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the third senate district.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to require the supervisors of the counties of Cayuga and Seneca, to raise money to repair the free bridge across Seneca river, and the road across the Cayuga marsh," and that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to authorize the raising of money to build a bridge over Cattaraugus creek, at Allen's mills," and that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to authorize the raising of money to build a bridge over Cattaraugus creek, at Versailles," and that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act further to amend an act in relation to the president, directors and first company of the Northern Turnpike Road," and that the same be ordered to a third reading.

Mr. Van Dyck asked for and obtained leave of absence for Mr. Young

for three days.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, three several bills, of the following titles, to wit:

"An act to incorporate the New-York Shamrock Benevolent Society:"

"An act to incorporate the Collinsville Institute:"

"An act to provide for loaning money to the town of Greenwich:"

Thereupon,

The said engrossed bill, entitled "An act to incorporate the New-York Shamrock Benevolent Society," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Van Dyck

Mr. Edwards	Mr. Mack	Mr. Wager	
Mr. Hunter	Mr. Paige	Mr. Willes	
Mr. Johnson	Mr. Powers	Mr. Works	
Mr. Lacv	Mr. Seger		23

The said engrossed bill, entitled "An act to incorporate the Collinsville Institute," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker	
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling	•
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge	
Mr. Downing	Mr. McLean	Mr. Tracy	
Mr. Edwards	Mr. Mack	Mr. Van Dyck	
Mr. Hunter	Mr. Maison	Mr. Wager	
Mr. Huntington	Mr. Paige	Mr. Willes	
Mr. Johnson	Mr. Powers	Mr. Works	
Mr. Lacy	Mr. Seger		26

The said engrossed bill, entitled "An act to provide for loaning money to the town of Greenwich," was read the third time and passed.

The engrossed bill, entitled "An act authorizing the trustees of the village of Catskill, or their successors in office, to subscribe for two thousand shares in the increased capital stock of the Canajoharie and Catskill Rail-Road Company, and to borrow money to pay for the same," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Seger	
Mr. L. Beardsley	Mr. Livingston	Mr. Spraker	
Mr. Dickinson	Mr. Loomis	Mr. Sterling	
Mr. Downing	Mr. McLean	Mr. Tallmadge	
Mr. Edwards	Mr. Mack	Mr. Van Dyck	
Mr. Hunter	Mr. Maison	Mr. Wager	
Mr. Johnson	Mr. Paige	Mr. Works	
Mr. Lacy	Mr. Powers		23

FOR THE NEGATIVE.

Mr.	Tracy	Mr. Willes	•	2

The engrossed bill, entitled "An act to provide for the construction of a rail-road from Rome in the county of Oneida, to Port-Ontario in the county of Oswego," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Seger
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Works
Mr. Lacy	Mr. Powers	

FOR THE NEGATIVE.

23

Mr. Willes 1

Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the village of Penn-Yan, in the county of Yates,' passed April 29, 1833," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Seger	
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling	
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge	
Mr. Downing	Mr. McLean	Mr. Tracy	
Mr. Edwards	Mr. Mack	Mr. Van Dyck	
Mr. Hunter	Mr. Maison	Mr. Wager	
Mr. Johnson	Mr. Paige	Mr. Willes	
Mr. Lacy	Mr. Powers	Mr. Works	24

The bill from the Assembly, entitled "An act to incorporate the village of Attica," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Powers	
Mr. L. Beardsley	Mr. Lawyer	Mr. Seger	
Mr. Dickinson	Mr. Livingston	Mr: Spraker	
Mr. Downing	Mr. Loomis	Mr. Tracy	
Mr. Edwards	Mr. McLean	Mr. Van Dyck	
Mr. Hunter	Mr. Mack	Mr. Wager	
Mr. Huntington	Mr. Maison	Mr. Willes	
Mr. Johnson	Mr. Paige	Mr. Works	2

The bill from the Assembly, entitled "An act for the further relief of the Eye Infirmary of the city of New-York," with the engrossed

amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Livingston	Mr. Spraker	
Mr. L. Beardsley	Mr. Loomis	Mr. Sterling	
Mr. Dickinson	Mr. McLean	Mr. Tallmadge	,
Mr. Downing	Mr. Mack	Mr. Tracy	
Mr. Edwards	Mr. Maison	Mr. Van Dyck	
Mr. Hunter	Mr. Paige	Mr. Wager	
Mr. Lacy	Mr. Powers	Mr. Willes	
Mr. Lawyer	Mr. Seger	Mr. Works	24

The bill from the Assembly, entitled "An act to incorporate the Globe Fire Insurance Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Powers	
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker	
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge	
Mr. Downing	Mr. Loomis	Mr. Tracy	
Mr. Edwards	Mr. McLean	Mr. Van Dyck	
Mr. Hunter	Mr. Mack	Mr. Wager	
Mr. Huntington	Mr. Maison	Mr. Willes	
Mr. Johnson	Mr. Paige	Mr. Works	24

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act for the relief of the Western Eye and Ear Infirmary," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Seger	
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling	
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge	
Mr. Downing	Mr. McLean	Mr. Tracy	
Mr. Edwards	Mr. Mack	Mr. Van Dyck	
Mr. Hunter	Mr. Maison	Mr. Wager	
Mr. Johnson	Mr. Paige	Mr. Willes	
Mr. Lacy	Mr. Powers	Mr. Works	24

The bill from the Assembly, entitled "An act to incorporate the village of Moravia, in the county of Cayuga," was read the third time

and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Willes
Mr. Lacy	Mr. Seger	Mr. Works

The bill from the Assembly, entitled "An act to authorize the raising of money to build a bridge over Cattaraugus creek at Allen's mills," was read the third time and passed.

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The bill from the Assembly, entitled "An act to authorize the raising of money to build a bridge over Cattaraugus creek at Versailles,"

was read the third time and passed.

The bill from the Assembly, entitled "An act to require the supervisors of the counties of Cayuga and Seneca, to raise money to repair the free bridge across Seneca river, and the road across the Cayuga marsh," was read the third time and passed.

The bill from the Assembly, entitled "An act in relation to the Scottsville and Le Roy Rail-Road Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Loomis	Mr. Sterling
Mr. L. Beardsley	Mr. McLean	Mr. Tallmadge
Mr. Downing	Mr. Mack	Mr. Tracy
Mr. Edwards	Mr. Maison	Mr. Van Dyck
Mr. Hunter	Mr. Paige	Mr. Wager
Mr. Lacy	Mr. Powers	Mr. Willes
Mr. Lawyer	Mr. Seger	Mr. Works
Mr. Livingston	,	

The bill from the Assembly, entitled "An act concerning common

schools," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend title sixteen, chapter twenty, of the first and sixth parts of the Revised Statutes, entitled 'Of the preservation of deer and certain game and animals,' and the act extending the same, passed March 14, 1833," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" the bill from the Assembly, entitled "An act to prevent usury;" and the bill from the Assembly, entitled "An act to amend the act for the relief of the Chenango canal contractors;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M.—APRIL 28, 1837.

The Senate met pursuant to adjournment.

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of the commissioners of highways in the towns of Goshen and Minisink, for leave to raise money by tax on those towns to build a bridge over the Walkill near George Phillips' mills, brought in a bill, entitled "An act to authorize the supervisors of Orange county, to raise money by tax on the towns of Goshen and Minisink, to build a bridge between said towns, at George Phillips;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Armstrong, from the committee on banks and insurance companies, reported against the bill from the Assembly, entitled "An act to repeal the charter of the Sackett's-Harbor Bank;" which was laid on

he table

Mr. Johnson, from the committee on claims, reported with amendments, the bill from the Assembly, entitled "An act for the relief of William Russel;" which was laid on the table.

Mr. Tracy, from the committee on claims, reported against the bill from the Assembly, entitled "An act for the relief of Dan Chapman;"

which was committed to a committee of the whole.

Mr. Mack, from the committee on the incorporation of cities and villages, reported without amendment, the bill from the Assembly, entitled "An act further to amend the charter of the village of Owego;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Livingston, from the committee on canals, to whom was referred the petition of the Cohoes Manufacturing Company, for the use of the waters of the enlarged Erie canal, that may not be required for the purposes of navigation, brought in a bill, entitled "An act for the relief of the Cohoes Company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act to amend an act entitled 'An act to incorporate the city of Brooklyn, and for other purposes.'"

Also the bill, entitled "An act to alter the map or plan of the city of

New-York."

Also the bill, entitled "An act relative to the court of common pleas of the county of Schenectady."

W. L. MARCY.

Albany, April 27, 1837.

A report of the managers of the Ontario Savings Bank, was received and read.

[See Senate Document No. 68.]

Ordered, That said report be laid on the table.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Croton Bridge Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

The bill entitled "An act in relation to the supreme court commissioner residing at Cooperstown, Otsego county," was received from the Assembly, with a message informing that they had passed the same

with the amendments therewith delivered.

Thereupon,

Resolved, That the Senate do concur with the Assembly in their said amendments.

Ordered, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

The Assembly examined and returned two several bills, of the following titles, to wit:

"An act to incorporate the Utica Female Academy:"

"An act to incorporate the Schoharie Academy:"

Which were presented to his excellency the Governor by the clerk.

On motion of Mr. Willes,

Resolved, That the bill entitled "An act to authorize county judges to inspect turnpike roads, and to fix the location of gates thereon," be referred to the Attorney-General for his opinion as to the constitutionality of the provisions of the fifth section thereof, as reported by the standing committee.

Ordered, That the clerk deliver said bill and a copy of said resolu-

tion to the Attorney-General.

Ordered, That the committee of the whole be discharged from the further consideration of three several bills from the Assembly, of the following titles, to wit:

"An act to amend an act entitled 'An act incorporating the Eighth Ward Fire Insurance Company in the city of New-York,' passed April 200 "

25, 1836 :"

"An act to incorporate the Dunkirk Academy:"

"An act relating to sales at public auction in the city of Troy:"

And that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act in relation to school district number one, in the town of Boonville," and that the same be engreesed for a third reading.

Mr. Willes moved the following resolution:

Resolved, That the select committee of which Mr. Maison is chairman, appointed on the 18th day of January last, to inquire into the circumstances of an alleged sale and transfer of bank stock by the Hon. Samuel Young, a senator from the fourth district, be required to report forthwith to the Senate their proceedings in the premises.

Ordered, That the said resolution be laid on the table.

The bill from the Assembly, entitled "An act to amend an act to incorporate the Schuylerville Bridge Company," was amended by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then took up the consideration of the amendments of the Assembly to the bill, entitled "An act increasing the salary of certain

officers therein mentioned."

Thereupon,

The first of said amendments was read, which was to allow to George W. Newell two hundred and fifty dollars in addition to his salary, for one year.

Mr. President put the question on agreeing to said amendment, and

it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Maison	Mr. Tracy
Mr. Downing	Mr. Powers	Mr. Wager
Mr. Huntington	Mr. Seger	Mr. Willes
Mr. Johnson	Mr. Spraker	Mr. Works
Mr. Lacy	4	

FOR THE AFFIRMATIVE.

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Mr. L. Beardsley	Mr. H. F. Jones	Mr. Mack	
Mr. Dickinson	Mr. Lawyer	Mr. Paige	
Mr. Edwards	Mr. Livingston	Mr. Tallmadge	
Mr. Hunter	Mr. McLean	Mr. Van Dyck	12

The second of said amendments was then read, which was to allow the Treasurer one hundred dollars in addition to two hundred and fifty dollars as allowed by the bill.

Mr. President put the question on agreeing to said amendment, and it was decided in the affirmative.

The year and nays being moved and seconded, were as follows to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Maison	
Mr. L. Beardsley	Mr. Lawyer	Mr. Paige	
Mr. Dickinson	Mr. Livingston	Mr. Seger	
Mr. Hunter	Mr. McLean	Mr. Tallmedge	
Mr. Huntington	Mr. Mack	Mr. Van Dysk	15

FOR THE NEGATIVE.

Mr. Downing Mr. Edwards	Mr. Powers Mr. Spraker	Mr. Wager Mr. Willes	-
Mr. Johnson	Mr. Tracy	Mr. Works	
Mr. Lacy	,		10

The third of said amendments, after being amended by the Senate, was read in the words following, to wit:

"From and after the passage of this act, there shall be allowed for clerk hire in the adjutant-general's office, five hundred dollars annually, instead of the sum now allowed by law."

Mr. President put the question on agreeing to said amendment, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. H. F. Jones	Mr. Paige
Mr. Dickinson	Mr. Lawyer	Mr. Powers
Mr. Downing	Mr. Livingston	Mr. Spraker
Mr. Edwards	Mr. McLean	Mr. Tallmadge
Mr. Hunter	Mr. Mack	Mr. Van Dyck
Mr. Huntington	Mr. Maison	Mr. Wager
Mr Johnson		J

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Seger	Mr. Willes	
Mr. Lacy	Mr. Tracy	Mr. Works	

Thereupon.

Resolved, That the Senate do non-concur in the first amendment; concur in the second amendment, and concur in the third amendment, with an amendment thereto.

Ordered, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

The bill from the Assembly, entitled "An act to amend an act to [Senate Journal.]

incorporate the Schuylerville Bridge Company," with the engressed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Seger
Mr. L. Beardsley	Mr. Livingston	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Edwards	Mr. McLean	Mr. Tracy
Mr. Hunter	Mr. Mack	Mr. Van Dyck
Mr. Huntington	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Willes
Mr. H. F. Jones	Mr. Powers	Mr. Works
Mr. Lacy		

The bill from the Assembly, entitled "An act to incorporate the Clinton and Utica McAdam Turnpike Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to

wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Seger
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker
Mr. Dickinson	Mr. Lawyer	Mr. Tallmadge
Mr. Downing	Mr. Livingston	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Wager
Mr. Hunter	Mr. Mack	Mr. Willes
Mr. Huntington	Mr. Maison	Mr. Works
M. Ishaan	M. D.:	.,

Mr. Johnson Mr. Paige

further to amend an

The bill from the Assembly, entitled "An act further to amend an act in relation to the president, directors and first company of the Northern Turnpike Road," with the engressed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr H F Iones		

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Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act relating to sales at pub-

lic auction in the city of Troy," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the Albion Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Seger
Mr. L. Beardsley	Mr. Livingston	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Willes
Mr. H. F. Jones	Mr. Powers	Mr. Works
Mr. Lacy		

The bill from the Assembly, entitled "An act to incorporate the Dunkirk Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Livingston	Mr. Spraker
Mr. L. Beardsley	Mr. Loomis	Mr. Tallmadge
Mr. Dickinson	Mr. McLean	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Edwards	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Willes
Mr. H. F. Jones	Mr. Powers	Mr. Works
Mr. Lawver	Mr. Seger	

The bill from the Assembly, entitled "An act further to amend the charter of the village of Owego," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Loomis	Mr. Spraker
Mr. L. Beardeley	Mr. McLean	Mr. Tallmadge
Mr. Dickinson	Mr. Mack	
Mr. Downing	Mr. Maison	Mr. Tracy Mr. Van Dyck
Mr. H. F. Jones	Mr. Paige	Mr. Wager

Mr. Lacy Mr. Pewers Mr. Willes Mr. Lawyer Mr. Seger Mr. Works Mr. Livingston

The bill from the Assembly, entitled "An act to amend an act entitled 'An act incorporating the Eighth Ward Fire Insurance Company in the city of New-York,' passed April 25, 1836," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Seger	
Mr. L. Beardeley	Mr. Livingston	Mr. Spraker	•
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge	
Mr. Downing	Mr. McLean	Mr. Tracy	
Mr. Edwards	Mr. Mack	Mr. Van Dyck	
Mr. Johnson	Mr. Maison	Mr. Wager	
Mr. H. F. Jones	Mr. Paige	Mr. Willes	
Mr. Lacy	Mr. Powers	Mr. Works	24

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" the bill from the Assembly, entitled "An act to prevent usury;" and the bill from the Assembly, entitled "An act to amend the act for the relief of the Chenango canal contractors;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M.—APRIL 29, 1837.

The Senate met pursuant to adjournment.

Mr. Wager presented six several remonstrances of inhabitants of the county of Oneida, against a repeal of the charter of the Oneida Bank; which were read, and referred to the committee of the whole when on the bill on that subject.

Mr. Powers, from the committee on banks and insurance companies, reported with amendments, the bill from the Assembly, entitled "An act to incorporate the Dunkirk Fire and Marine Insurance Company;" which was agreed to by the Senate, the amendments ordered to be exgressed, and the bill to a third reading.

Mr. Mack, from the committee on the division of towns and counties, reported without amendment, the bill from the Assembly, entitled "An act to annex a part of the town of Morristown to the town of Hammond;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Tracy, from the committee on claims, to whom was referred the petition of Simon Matteson, praying for remuneration for work done on

the Eric sanal, reported against the same.

Ordered. That said report be laid on the table.

Mr. Livingston, from the committee on canals, reported with amendments, the bill from the Assembly, entitled "An act to provide for the survey of certain lands overflowed by water in the Oswego canal, and for other purposes;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Paige, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to provide for the better repairing certain roads in the town of Coeymans;" which was agreed to

by the Senate, and the bill ordered to a third reading.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act for the relief of Luther Pardee, John I. Beardslee and Lavinia Beardslee."

Also the bill, entitled "An act to incorporate the Schoharie Academy."

Also the bill, entitled "An act to incorporate the Utica Female Academy."

W. L. MARCY.

Albany, April 28, 1837.

Two several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act for the relief of William Turner and others, resident aliens:"

"An act for the relief of Jonathan Morgan and his legal representatives:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to repeal the charter of the Greenfield Turnpike Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the commissioners of the land-office to release to Joseph Lamprey and others, certain real estate in the county of Monroe;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An

act further to amend an act entitled 'An act to incorporate the city of Rochester;' which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the in-

corporation of cities and villages.

À bill was received from the Assembly for concurrence, entitled "An act to provide for calling a special town meeting in the town of Hague, in the county of Warren;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the fourth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act for the construction of the locks in the Cayuga and Seneca canal, and the west branch feeder of the Champlain canal,' passed May 25, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

Three several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the

following titles, to wit:

"An act further to amend the act to incorporate the village of Ithaca:"
"An act to incorporate the Penn-Yan Manufacturing Company:"

"An act relative to unclaimed trunks and baggage:"

Which were presented to his excellency the Governor by the clerk.

Five several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to wit:

"An act to incorporate the Chemung Bridge Company:"

"An act to incorporate the Globe Fire Insurance Company:"

"An act to amend the act entitled 'An act to incorporate the village of Penn-Yan, in the county of Yates,' passed April 29, 1833:"

"An act for the further relief of the Eye Infirmary of the city of New-York:"

"An act to incorporate the village of Attica:"
The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

The bill entitled "An act to amend the act incorporating the village of Geneva," was received from the Assembly, with a message informing that they do concur in the amendments of the Senate to the said bill, with amendments thereto.

Ordered, That said bill and amendments be laid on the table.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Gas-light Company of the city of New-York,'" was received from the Assembly, with a message informing that they had non-concurred in the amendments of the Senate to the said bill.

Thereupon,

Resolved, That the Senate do recede from their amendments to the said bill; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. H. F. Jones	Mr. Seger
Mr. J. P. Jones	Ma Sterling
Mr. Livingston	Mr. Tracy
Mr. Loomis	Mr. Van Dyck
Mr. Mack	Mr. Wager
Mr. Paige	Mr. Willes
Mr. Powers	Mr. Works
	Mr. J. P. Jones Mr. Livingston Mr. Loomis Mr. Mack Mr. Paige

Mr. Johnson

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Ordered, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

Mr. Van Dyck, from the committee on engrossed bills, reported as correctly engrossed, two several bills, of the following titles, to wit:

"An act in relation to school district number one, in the town of

Boonville :"

"An act to authorize the board of supervisors of Orange county, to raise money by tax on the towns of Goshen and Minisink, to build a bridge across the Walkill at George Phillips, between said towns."

Thereupon,

The said engrossed bill, entitled "An act to authorize the board of supervisors of Orange county, to raise money by tax on the towns of Goshen and Minisink, to build a bridge across the Walkill at George Phillips, between said towns," was read the third time and passed.

The said engrossed bill, entitled "An act in relation to school district number one, in the town of Boonville," was read the third time and

passed.

Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to provide for the survey of certain lands overflowed by water on the Oswego canal, and for other purposes," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act for the relief of William Russell," with the engrossed amendments, was read the third time

and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act to annex a part of the town of Morristown to the town of Hammond," was read the third time and passed.

The bill from the Assembly, entitled "An act to provide for the better repairing certain roads in the town of Coeymans," was read the third

time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Spraker moved to reconsider the vote yesterday taken on agree-

ing to the first amendment of the Assembly to the bill entitled "An act increasing the salaries of certain officers therein mentioned," which was to allow to George W. Newell, deputy comptroller, two hundred and fifty dollars in addition to his salary, for one year, and which amendment was non-concurred in.

Mr. President put the question on agreeing to said motion, and it was

decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. J. P. Jones	Mr. Spraker
Mr. Dickinson	Mr. Livingston	Mr. Sterling
Mr. Edwards	Mr. Loomis	Mr. Van Dyck
Mr. Hunter	Mr. Mack	Mr. Willes
Mr. H. F. Jones	Mr. Paige	

POR THE NEGATIVE.

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Mr. Downing	Mr. Seger	Mr. Wager	
Mr. Johnson	Mr. Tracy	Mr. Works	
Mr. Powers			

Mr. Wager moved to amend said amendment of the Assembly, by adding thereto the following words:

"And to the surveyor-general the sum of two hundred and fifty dollars, in addition to the sum mentioned in the first section of this bill; and to the adjutant-general the sum of two hundred and fifty dollars."

Thereupon,

Mr. Tracy demanded a division of the question on agreeing to said amendments.

Mr. President put the question on agreeing to the first of said amendments, as to the surveyor-general, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong Mr. Edwards Mr. Hunter Mr. Johnson	Mr. Loomis Mr. Powers Mr. Seger Mr. Spraker	Mr. Tracy Mr. Van Dyck Mr. Willes	19
Mr. Johnson	Mr. Spraker	Mr. Works	12

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. J. P. Jones	Mr. Paige
Mr. Dickinson	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. Mack	Mr. Wager
Mr. H. F. Inner		•

Mr. President put the question on agreeing to the second of said amendments, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Loomis	Mr. Tracy	12
Mr. Edwards	Mr. Powers	Mr. Van Dyck	
Mr. Hunter	Mr. Seger	Mr. Willes	
Mr. Johnson	Mr. Spraker	Mr. Works	
Mi. Jourson	Mr. Spiakei	DIL. WOLKS	1~

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. J. P. Jones	Mr. Paige	
Mr. Dickinson	Mr. Livingston	Mr. Sterling	
Mr. Downing	Mr. Mack	Mr. Wager	
Mr. H. F. Jones	. :		10

Mr. President then put the question on agreeing to the said amendment of the Assembly, and it was decided in the affirmative.

The year and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. H. F. Jones	Mr. Spraker	
Mr. Dickinson	Mr. Livingston	Mr. Sterling	
Mr. Edwards	Mr. Loomis	Mr. Van Dyck	
Mr. Hunter	Mr. Paige	•	11

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Mack	Mr. Wager	
Mr. Downing	Mr. Powers	Mr. Willes	
Mr. Johnson	Mr. Seger	Mr. Works	
Mr. J. P. Jones	Mr. Tracy		11

The yeas and nays being equally divided, Mr. President gave the casting vote in the affirmative.

Thereupon,

Resolved, That the Senate concur with the Assembly in their amendments to said bill, except the last, in which they concur with an amend-

Ordered, That the clerk deliver said bill and a copy of said resolu-

tion to the Assembly.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the act for the relief of the Chenango canal contractors;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported the same without amendment.

[SENATE JOURNAL.]

Thereupon,
The said report was read in the words following, to wit:

An Act further to amend the act for the relief of the Chenango canal contractors.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

§ 1. The act entitled "An act in addition to an act for the relief of the Chenango canal contractors, passed the 16th April, 1836, and the amendment thereto, passed the 25th May, 1836," passed the 30th March, 1837, is hereby amended, by striking out the following words, in the last clause of the first section of said act: "but the allowance to be made under this act, shall not in any case exceed the rate of advance on the prices for the original letting, which is authorized by the act of May, 1836," so that the section when amended, will read as follows:

"The canal board are hereby authorized and directed to allow to the contractors for the construction of the Chenango canal, not embraced in the three first lettings thereof, and who entered into contract previous to the first day of April, one thousand eight hundred and thirty-six, such further sum, not exceeding twenty per cent beyond the contract prices, as they may judge to be equitable under said contracts, in consequence of the rise of provisions, forage, labor, and iron for paddle-gates and hangings therefor, subsequent to the executing said contracts, and while the same were performing."

1 2. This act shall take effect on its passage.

Mr. Tracy moved to amend the said report, by striking out all after the enacting clause, and inserting the following:

- "§ 1. The act passed March 30, 1837, is hereby amended, so as to require the canal board to allow to the contractors who took their contracts under any reletting subsequent to April, 1835, and who completed their contracts, the whole advance on the prices of the original contracts that is authorized by said act, notwithstanding a part of the work embraced in the original contracts was done by the original contractors, so that said board may allow to such contractors on reletting, twenty per cent advance on the price of the whole work."
- Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Hunter	Mr. Seger
Mr. L. Beardsley	Mr. Huntington	Mr. Spraker
Mr. Dickinson	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Wager
Mr Edwards	Mr Daige	

FOR THE AFFIRMATIVE.

Mr. Johnson	Mr. Tracy	Mr. Willes
Mr. J. P. Jones	Mr. Van Dyck	Mr. Works
Mr. Powers		

Mr. President then put the question on agreeing to said report, and it

was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Hunter	Mr. Paige	
Mr. L. Beardsley	Mr. Huntington	Mr. Seger	
Mr. Dickinson	Mr. Livingston	Mr. Spraker	
Mr. Downing	Mr. Loomis	Mr. Sterling	
Mr. Edwards	Mr. Mack	Mr. Wager	15

FOR THE NEGATIVE.

Mr. Johnson	Mr. Tracy	Mr. Willes	
Mr. J. P. Jones	Mr. Van Dyck	Mr. Works	
Mr. Powers	•		7

And the said bill was ordered to a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" and the bill from the Assembly, entitled "An act to prevent usury;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Jacob Westlake and John M'Connell;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Huntington, from the said committee, reported the same with amendments; which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Then the Senate adjourned until 10 o'clock on Monday morning next.

MONDAY, 10 O'CLOCK, A. M.—MAY 1, 1837.

The Senate met pursuant to adjournment.

Mr. Dickinson presented the petition of sundry citizens of Hammondport, in the county of Steuben, praying for the passage of the bill to deepen the upper level of the Crooked Lake canal; which was read, and referred to the committee of the whole, when on the bill on that subject.

Mr. Wager presented six several remonstrances of inhabitants of the county of Oneida, against a repeal of the charter of the Oneida Bank; which were read, and referred to the committee of the whole when on

the bill on that subject.

Mr. Edwards presented the proceedings of the meeting of the town of Elbridge, in the county of Onondaga, in favor of the law to prevent usury, and for a general banking law; which were read, and referred to the committee of the whole when on the bills to which the subject relates.

Mr. Livingston, from the committee on canals, brought in a bill, entitled "An act amending the act regulating the price to be paid for land taken for the enlargement of the Erie canal, passed April 3, 1837;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Edwards, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act confirming the official acts of the town officers of the town of Niagara, in the county of Niagara;" which was agreed to by the Senate, the amendments

ordered to be engrossed, and the bill to a third reading.

Mr. Edwards, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act in relation to bills of costs;" which was committed to a committee of the whole.

Mr. Armstrong, from the committee on banks and insurance companies, to whom was referred the petition of sundry inhabitants of the county of Dutchess, praying a repeal of the act prohibiting the issuing of bank bills under the denomination of five dollars, reported against the same.

Mr. President put the question on agreeing to the said report, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. J. P. Jones	Mr. Seger	
Mr. Lacy	Mr. Spraker	
Mr. Lawyer		
Mr. Mack	Mr. Wager	18
	Mr. Lacy Mr. Lawyer Mr. Livingston Mr. Loomis	Mr. Lacy Mr. Spraker Mr. Lawyer Mr. Sterling Mr. Livingston Mr. Tracy Mr. Loomis Mr. Van Dyck

Mr. Seger, from the committee on the incorporation of cities and villages, to whom was referred the petition of sundry inhabitants of Sing-Sing, brought in a bill, entitled "An act to amend the charter of the village of Sing-Sing;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Seger, from the committee on the incorporation of cities and villages, brought in a bill, entitled "An act to amend the act entitled 'An act to incorporate the village of Binghamton,' passed May 3, 1834;" which was read the first time, and by unanimous consent was also read

a second time, and ordered to be engrossed for a third reading.

Mr. Livingston, from the committee on canals, reported without amendment, the bill from the Assembly, entitled "An act to amend an act relative to the Oneida and Seneca rivers, passed May 24, 1836;" which was committed to a committee of the whole.

Mr. Livingston, from the committee on canals, reported against the bill from the Assembly, entitled "An act to amend the act entitled 'An act to improve the Seneca river,' passed May 12, 1836;" which was

committed to a committee of the whole.

Mr. Paige, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act relating to a work-house in the county of Rensselaer, and for other purposes;" which was agreed

to by the Senate, and the bill ordered to a third reading.

Mr. Loomis, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act relative to the auditing of town accounts in the county of Ontario;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

A preamble and resolution was received from the Assembly, and read

in the words following, to wit:

Whereas the common council of the city of Utica and the inhabitants of said city, represent that they have suffered severely from a fire on the 31st March last, and ask, by petition, the suspension of the collection of a tax which has been ordered, to pay the amount of a bond given to the State for about forty thousand dollars, for the difference in the expense of the Chenango canal: Therefore,

Resolved, (if the Senate concur,) That the Comptroller be authorized to suspend the collection of a bond held by the State against certain citizens of the city of Utica, for the extra expense of terminating the Chenango canal at the said city, till the first day of December next.

Ordered, That said preamble and resolution be laid on the table.

Ordered, That the committee of the whole be discharged from the further consideration of four several bills, of the following titles, to wit:

"An act to incorporate the Greene Rail-Road Company:"

"An act regulating costs in proceedings to recover damages for the use and occupation of lands after the judgment in ejectment:"

"An act to restrict and equalize certain fees of notaries public:"

"An act to incorporate the Chemung and Ithaca Rail-Road Company:"

And that the same be ordered to be engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to extend the charter of the Nichols and Tioga Bridge Company;"

and that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to authorize the Brooklyn and Jamaica Rail-Road Company to alter the route of part of the Brooklyn and Jamaica Turnpike Road," and that the same be referred to a select committee, consisting of the senators attending the Senate from the first senate district.

Ordered, That the bill from the Assembly, entitled "An act to prevent usury," be referred to the committee of the whole, when on the bill entitled "An act to authorize associations for the purpose of banking."

Ordered, That the bill, entitled "An act authorizing loans in aid of the enlargement of the Erie canal," be referred to the committee of the whole, when on the bill, entitled "An act to authorize associations for the purpose of banking."

The bill from the Assembly, entitled "An act to amend the act for the relief of the Chenango canal contractors," was read the third time.

Mr. President put the question on the final passage of the said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Huntington	Mr. Paige
Mr. L. Beardsley	Mr. H. F. Jones	Mr. Seger
Mr. Dickinson	Mr. Livingston	Mr. Spraker
Mr. Downing	Mr. Loomis	Mr. Sterling
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter		

FOR THE NEGATIVE.

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Mr. Johnson	Mr. Lacy	Mr. Van Dyck	
Mr. J. P. Jones	Mr. Tracy	Mr. Willes	6

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act for the relief of Jacob Westlake and John McConnell," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act confirming the official acts of the town officers of the town of Niagara, in the county of Niagara," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act relative to the auditing of town accounts in the county of Ontario," with the engrossed amend-

ments, was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

Five several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act authorizing the appointment of a supreme court commissioner, to reside in the town of Sangersfield, in the county of Oneida:"

"An act to provide for loaning money to the town of Greenwich:"
"An act to erect the town of Forrestburgh, in the county of Sulli-

"An act to erect the town of Forrestburgh, in the county of Su van:"

"An act to incorporate the Valatie Fire Company:"
"An act to incorporate the Collinsville Institute:"

Which were presented to his excellency the Governor by the clerk.

The bill entitled "An act to erect the town of Long-Lake, in the county of Hamilton," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Resolved, That the Senate do concur with the Assembly in their said amendments.

Ordered, That the clerk deliver said bill, and a copy of said resolu-

tion to the Assembly.

The bill entitled "An act increasing the salary of certain officers therein mentioned," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to their amendments to the said bill; which was presented to his excellency the Governor by the clerk.

The bill entitled "An act to amend the charter of the Malden Turnpike Company," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to

the said bill, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the comptroller to loan money to the county of Monroe;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act declaring a part of the Oak Orchard creek a public highway;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the eighth senate district.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Gloudy Hamilton and James Quige;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Van Dyck, from the said committee, reported the same with amendments; which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on

the bill from the Assembly, entitled "An act for the relief of John P. Smith and others, contractors on the Chenango canal;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Van Dyck, from the said committee, reported that they had passed the same with amendments.

Mr. President put the question on agreeing to the said report, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Huntington	Mr. Mack	
Mr. L. Beardsley	Mr. H. F. Jones	Mr. Paige	
Mr. Dickinson	Mr. J. P. Jones	Mr. Spraker	
Mr. Downing	Mr. Lacy	Mr. Sterling	
Mr. Edwards	Mr. Livingston	Mr. Wager	
Mr. Hunter	9	•	16

FOR THE NEGATIVE.

Mr. Johnson	Mr. Van Dyck	Mr. Willes	
Mr. Loomis	•	•	4

Thereupon,

Ordered, That said amendments be engrossed and the bill to a third

reading.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to prevent usury;" and the bill entitled "An act to authorize associations for the purpose of banking;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act authorizing loans in aid of the enlargement of the Erie canal;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act relative to the Mohawk and Hudson Rail-Road Company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. L. Beardsley, reported the same with amendments.

Ordered, That the question on agreeing to said report be laid on the table.

Ordered, That the said bill be printed.

Mr. Tracy moved that the Senate resolve itself into a committee of the whole, on the bill from the Assembly, entitled "An act to authorize the survey of the Conewango canal, with a branch to Lake Erie."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong Mr. L. Beardsley	Mr. Huntington Mr. Johnson	Mr. Mack Mr. Paige
Mr. Downing	Mr. H. F. Jones	Mr. Wager
Mr. Edwards	Mr. Livingston	Mr. Willes
Mr. Hunter	Mr. Loomia	

FOR THE AFFIRMATIVE.

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Mr. Dickinson Mr. Lacy Mr. Tracy 3

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act in relation to canals;" and the bill, entitled "An act amending the act regulating the price to be paid for land taken for the enlargement of the Erie canal, passed April 3d, 1837;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Huntington, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M.—MAY 2, 1637.

The Senate met pursuant to adjournment.

Mr. Edwards presented the petition of Zechariah Kinne, for relief against the Utica and Syracuse Rail-Road Company; which was read, and referred to the committee on rail-roads.

Mr. Tallmadge presented the petition for an act to incorporate the Repository of the American Institute; which was read, and referred to the committee on-literature.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to repeal the charter of the Greenfield Turnpike Company;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. L. Beardsley, from the committee on finance, reported without amendment, the bill from the Assembly, entitled "An act authorizing the comptroller to loan money to the county of Monroe;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Seger, from the committee on the incorporation of cities and villages, reported with amendments, the bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the city of

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Troy, and for other purposes;' " which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Tracy, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act declaring a part of the Oak Orchard creek a public highway;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. McLean, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to provide for calling a special town meeting in the town of Hague, in the county of Warren;" which was agreed to by the Senate, and the bill ordered to a third read-

ing.

Mr. Livingston, from a select committee, reported without amendment, the bill entitled "An act to authorize the Brooklyn and Jamaica Rail-Road company to alter the route of part of the Brooklyn and Jamaica Turnpike road;" which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of four several bills from the Assembly, of the fol-

lowing titles, to wit:

"An act to authorize Ira De Lurgy to change his name:"

"An act to incorporate the Westfield Academy:"
"An act to incorporate the Coxsackie Academy:"

"An act to revive the act incorporating the Troy Academy, and to unite the same with the Rensselaer Institute:"

And that the same be severally ordered to a third reading.

Mr. Edwards asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act relative to the circuit courts and courts of over and terminer in and for the counties of Schenectady and Schoharie;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

A message from the Governor, in relation to the State arsenal in the city of New-York, was received and read, and referred to the commit-

tee on the militia.

A bill was received from the Assembly for concurrence, entitled "An act to raise money on the town of Oswegatchie, for the repair of roads and bridges;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to annex part of the town of Ovid to the town of Lodi;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and

counties.

The Assembly examined and returned three several bills, of the following titles, to wit:

"An act to erect the town of Long-Lake, in the county of Hamilton:"

"An act in relation to the supreme court commissioner residing at Cooperstown, Otsego county:"

"An act to incorporate the Fayetteville Academy:"

Which were presented to his excellency the Governor by the clerk.

The bill entitled "An act to provide for such alteration in the line or route of the Croton turnpike road or highway in the county of Westchester, as may be rendered necessary for the plan adopted for supplying the city of New-York with pure and wholesome water, and by virtue of the act for that purpose, passed May 2d, 1834," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

Mr. Van Dyck, from the committee on engrossed bills, reported as correctly engrossed, six several bills, of the following titles, to wit:

"An act authorizing loans, in aid of the enlargement of the Erie

canal:"

"An act to incorporate the Chemung and Ithaca Rail-Road Company:"

"An act regulating costs in proceedings to recover damages for the

use and occupation of lands after judgment in ejectment:"

"An act to amend the act entitled 'An act to incorporate the village of Binghamton,' passed May 3, 1834:"

"An act to incorporate the Greene Rail-Road Company:"

"An act to restrict and equalize certain fees of notaries public:" Thereupon,

The said engrossed bill, entitled "An act authorizing loans in aid of the enlargement of the Erie canal," was read the third time.

Mr. J. P. Jones moved to lay the said bill on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The year and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Livingston	Mr. Spraker
Mr. L. Beardsley	Mr. Loomis	Mr. Sterling
Mr. Downing	Mr. McLean	Mr. Tallmadge
Mr. Edwards	Mr. Mack	Mr. Tracy
Mr. H. F. Jones	Mr. Maison	Mr. Wager
Mr. Lacy	Mr. Paige	

FOR THE AFFIRMATIVE.

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Mr. Huntington Mr. Se Mr. Johnson Mr. Va Mr. J. P. Jones	er Mr. Willes n Dyck Mr. Young
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Mr. President then put the question on agreeing to said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

FOR THE NEGATIVE.

Mr. Hunter	Mr. J. P. Jones	Mr. Willes	
Mr. Huntington	Mr. Seger	Mr. Young	
Mr. Johnson	Mr. Van Dyck		8

The said engrossed bill, entitled "An act to incorporate the Chemung and Ithaca Rail-Road Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Paige
Mr. L. Beardsley	Mr. Lacy	Mr. Seger
Mr. Dickinson	Mr. Livingston	Mr. Spraker
Mr. Downing	Mr. Loomis	Mr. Tallmadge
Mr. Edwards	Mr. McLean	Mr. Tracy
Mr. Hunter	Mr. Mack	Mr. Van Dyck
Mr. Huntington	Mr. Maison	Mr. Willes
Mr H. F. Jones		

FOR THE NEGATIVE.

Mr. Yo			4
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The said engrossed bill, entitled "An act to amend the act entitled 'An act to incorporate the village of Binghamton,' passed May 3, 1834," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

Mr. Armstrong Mr. Lacy Mr. Spraker	
Mr. L. Beardsley Mr. Livingston Mr. Tallmadge	
Mr. Dickinson Mr. Loomis Mr. Tracy	
Mr. Downing Mr. McLean Mr. Van Dyck	
Mr. Edwards Mr. Mack Mr. Wager	
Mr. Hunter Mr. Maison Mr. Willes	
Mr. Huntington Mr. Paige Mr. Young	
Mr. H. F. Jones Mr. Seger	23

The said engrossed bill, entitled "An act to incorporate the Greene Rail-Road Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Paige
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Seger
Mr. Dickinson	Mr. Lacy	Mr. Tallmadge
Mr. Downing	Mr. Livingston	Mr. Tracy
Mr. Edwards	Mr. Loomis	Mr. Van Dyck
Mr. Hunter	Mr. McLean	Mr. Wager
Mr. Huntington	Mr. Mack	Mr. Willes
Mr. Johnson	Mr. Maison	

FOR THE NEGATIVE.

Mr. Young

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Ordered, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

The said engrossed bill, entitled "An act to restrict and equalize certain fees of notaries public," was read the third time, and laid on the table.

The said engrossed bill, entitled "An act regulating costs in proceedings to recover damages for the use and occupation of lands after judgment in ejectment," was read the third time, and recommitted to a committee of the whole.

The bill from the Assembly, entitled "An act to incorporate the Geneva Hydraulic Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger	
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker	
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge	
Mr. Downing	Mr. Loomis	Mr. Tracy	
Mr. Edwards	Mr. McLean	Mr. Van Dyck	
Mr. Hunter	Mr. Mack	Mr. Wager	٠.
Mr. Huntington	Mr. Maison	Mr. Willes	
Mr. H. F. Jones	Mr. Paige	Mr. Young	24

The bill from the Assembly, entitled "An act relating to a work-house in the county of Rensselaer, and for other purposes," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger	
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker	
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge	
Mr. Downing	Mr. Loomis	Mr. Tracy	
Mr. Edwards	Mr. McLean	Mr. Van Dyck	
Mr. Hunter	Mr. Mack	Mr. Wager	
Mr. Johnson	Mr. Maison	Mr. Willes	
Mr. H. F. Jones	Mr. Paige	Mr. Young	24

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to incorporate the Croton Bridge Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Tallmadge
Mr. Dickinson	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Young
Mr. H. F. Jones	Mr. Seger	•

The bill from the Assembly, entitled "An act for the relief of Gloudy Hamilton and James Quige," with the engressed amendments, was read the third time and passed.

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Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

Then the Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M.—MAY 3, 1837.

The Senate met pursuant to adjournment.

Mr. Wager presented the affidavit of Dan Chapman, in relation to his petition; which was read, and referred to the committee of the whole when on the bill on that subject. Mr. Maison, from the committee on the militia, to whom was referred the message of his excellency the Governor, in relation to changing the present site and buildings occupied as the State arsenal, brought in a bill, entitled "An act respecting the arsenal in the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Mack, from the committee on the division of towns and counties, reported without amendment, the bill from the Assembly, entitled "An act to annex a part of the town of Ovid to the town of Lodi;" which was agreed to by the Senate, and the bill ordered to a third reading.

A message from his excellency the Governor, delivered by his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act to incorporate the Collinsville Institute."

Also the bill, entitled "An act to erect the town of Forrestburgh, in

the county of Sullivan."

Also the bill, entitled "An act authorizing the appointment of a supreme court commissioner, to reside in the town of Sangersfield, in the county of Oneida."

Also the bill, entitled "An act to incorporate the Valatie Fire Com-

pany."

Also the bill, entitled "An act to provide for loaning money to the town of Greenwich."

Also the bill, entitled "An act to incorporate the Penn-Yan Manufacturing Company."

Also the bill, entitled "An act relative to unclaimed trunks and bag-

gage."

Also the bill, entitled "An act further to amend the act to incorporate the village of Ithaca."

W. L. MARCY.

Albany, May 2, 1837.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed March 5, 1819;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the mayor, aldermen and commonalty of the city of New-York, to lay out a permanent exterior line for the said city in the Harlaem river, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the first senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to amend the charter of the vil-

lage of Seneca-Falls, passed April 24, 1837;" which was read the first time, and by unanimous consent was also read a second time, and or-

dered to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act relative to the county buildings in the county of Chemung;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act authorizing Samuel Hinckley to establish a ferry from Cape Vincent to Long or Grand Island in Upper Canada;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Isaac J. Forbes;" which was read the first time, and by unanimous consent was also read a second time, and referred to the

committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Troy Female Seminary;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to incorporate the village of Dunkirk:"

"An act to revive and amend the act entitled 'An act to incorporate

the village of Auroraville, in the county of Erie:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the incorporation of cities and villages.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to provide for the construction of a rail-road from Jordan to the northern termination of the Skaneateles rail-road:"

"An act to provide for the constructon of a rail-road from the village

of Penfield to the Erie canal:"

Which were read the first time, and by unanimous consent were also

read a second time, and referred to the committee on rail-roads.

Two several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to wit:

"An act to incorporate the Clinton and Utica McAdam Turnpike

Company:"

"An act relative to the auditing of town accounts:"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

The bill entitled "An act authorizing the trustees of the village of Catskill, or their successors in office, to subscribe for two thousand shares in the increased capital stock of the Canajoharie and Catskill Rail-Road Company, and to borrow money to pay for the same," was received

from the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

A copy of a resolution was received from the Assembly, and read in

the words following, to wit:

Resolved, (if the Senate concur,) That this Legislature will adjourn on the 16th day of May instant, at 12 o'clock at noon.

Mr. Dickinson moved to amend the said resolution, by inserting 10th.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. J. P. Jones	Mr. Spraker	
Mr. Lacy	Mr. Sterling	
Mr. Loomis		
Mr. McLean		
Mr. Maison		
Mr. Paige		
Mr. Powers		90
	Mr. Lacy Mr. Loomis Mr. McLean Mr. Maison Mr. Paige	Mr. Lacy Mr. Sterling Mr. Loomis Mr. Tallmadge Mr. McLean Mr. Tracy Mr. Maison Mr. Wager Mr. Paige Mr. Willes

FOR THE AFFIRMATIVE.

Mr. Dickinson	Mr. Livingston	Mr. Seger	6
Mr. Downing	Mr. Mack	Mr. Young	
Mr. Downing	Mr. Mack	Mr. Young	6

Thereupon,

Resolved, That the Senate do concur with the Assembly in the said resolution.

Ordered, That the clerk deliver a copy of said resolution of concur-

rence to the Assembly.

The Senate took up the consideration of the amendments of the Assembly to the amendments of the Senate to the bill entitled "An act to amend the act incorporating the village of Geneva, in the county of Ontario."

Resolved, That the Senate do concur with the Assembly in their said amendments to the amendments of the Senate to said bill; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker
Mr. Dickinson	Mr. Livingeton	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tallmadge
Mr. Edwards	Mr. McLean	Mr. Tracy
Mr. Hunter	Mr. Maison	Mr. Wager

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Mr. Huntington Mr. Johnson Mr. H. F. Jones Mr. Paige Mr. Powers Mr. Willes Mr. Young

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Ordered, That the clerk deliver said bill and a copy of said resolution to the Assembly.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, two several bills, of the following titles, to wit:

"An act relative to the circuit courts and courts of oyer and terminer in and for the counties of Schenectady and Schoharie:"

"An act to amend the charter of the village of Sing-Sing."

Thereupon,

The said engrossed bill, entitled "An act relative to the circuit courts and courts of over and terminer in and for the counties of Schenectady

and Schoharie," was read the third time and passed.

The said engreesed bill, entitled "An act to amend the charter of the village of Sing-Sing," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Maison	Mr. Wager
Mr. Hunter	Mr. Paige	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Young
Mr. Johnson	Mr. Seger	J

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The engrossed bill, entitled "An act regulating costs in proceedings to recover damages for the use and occupation of lands after judgment in ejectment," was read the third time and passed.

in ejectment," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and

request their concurrence to the same.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to amend the charter of the village of Seneca-Falls,' passed April 24, 1837," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Dickinson	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Maison	Mr. Wager
Mr. Hunter	Mr. Paige	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Young
Mr. Johnson	Mr. Seger	

The bill from the Assembly, entitled "An act to incorporate the Westfield Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. L. Beardsley	Mr. Lacy	Mr. Sterling
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Paige	Mr. Young
Mr. H. F. Jones	_	•

The bill from the Assembly, entitled "An act to authorize Ira De Lurgy to change his name," was read the third time and passed.

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The bill from the Assembly, entitled "An act to provide for calling a special town meeting in the town of Hague, in the county of Warren," was read the third time and passed.

The bill from the Assembly, entitled "An act to annex a part of the town of Ovid to the town of Lodi," was read the third time and passed.

The bill from the Assembly, entitled "An act to repeal the charter of the Greenfield Turnpike Company," was read the third time and reseed.

The bill from the Assembly, entitled "An act to incorporate the Coxsackie Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Seger	
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker	
Mr. Dickinson	Mr. Livingston	Mr. Sterling	
Mr. Downing	Mr. McLean	Mr. Tallmadge	
Mr. Edwards	Mr. Mack	Mr. Tracy	
Mr. Hunter	Mr. Maison	Mr. Wager	
Mr. Huntington	Mr. Paige	Mr. Willes	
Mr. Johnson	Mr. Powers	Mr. Young	24

The bill from the Assembly, entitled "An act to incorporate the Dunkirk Fire and Marine Insurance Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Spraker Mr. Sterling

Mr. Dickinson	Mr. McLean	Mr. Talimadge
Mr. Downing	Mr. Mack	Mr. Tracy
Mr. Edwards	Mr. Maison	Mr. Wager
Mr. Hunter	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Young
Mr H F Iones	Mr Semer	ŭ

The bill from the Assembly, entitled "An act authorizing the comptroller to loan money to the county of Monroe," was read the third time

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

The bill from the Assembly, entitled "An act to incorporate the Geneseo Hydraulic Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as fellows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Powérs
Mr. L. Beardsley	Mr. Lacy	Mr. Seger
Mr. Dickinson	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. Leomis	Mr. Tallmødge
Mr. Edwards	Mr. McLean	Mr. Tracy
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. Johnson		

FOR THE NEGATIVE.

Mr. Young

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The bill from the Assembly, entitled "An act for the relief of John P. Smith and others, contractors on the Chenango canal," with the engressed amendments, was read the third time.

Mr. President put the question on the final passage of the said bill,

and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

Mr. Armstrong	Mr. Edwards	Mr. Livingston	19
Mr. L. Beardsley	Mr. Hunter	Mr. Sterling	
Mr. Dickinson	Mr. Huntington	Mr. Tallmadge	
Mr. Downing	Mr. H. F. Jones	Mr. Wager	
	FOR THE NEGATI	VR.	
Mr. Johnson	Mr. Loomis	Mr. Willes	è
Mr. J. P. Jones	Mr. Powers	Mr. Young	

The bill from the Assembly, entitled "An act to revive the act incorporating the Troy Academy, and to unite the same with the Rensselaer Institute," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker
Mr. Dickinson	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. McLean	Mr. Tallmadge
Mr. Edwards	Mr. Mack	Mr. Tracy
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Young
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Mr. H. F. Jones

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The bill from the Assembly, entitled "An act declaring a part of the Oak Orchard creek a public highway," with the engressed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amend-

ments therewith delivered.

Mr. Young moved to lay the unfinished business on the table, and that the Senate should resolve itself into a committee of the whole on the bill entitled "An act to repeal the charter of the Oneida Bank."

Mr. President put the question on agreeing to said motion, and it was

decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Paige
Mr. L. Beardsley	Mr. Lacy	Mr. Powers
Mr. Dickinson	Mr. McLean	Mr. Seger
Mr. Downing	Mr. Mack	Mr. Spraker
Mr. Edwards	Mr. Maison	Mr. Sterling
Mr. Hunter		J

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FOR THE AFFIRMATIVE.

Mr. Huntington Mr. Livingston	Mr. Tracy Mr. Wager	Mr. Willes Mr. Young	
Mr. Loomis	*****	2.2 06	7

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" and after some time spent thereon, Mr. President resumed, the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to prevent usury;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported the same with amendments.

Ordered, That the question on agreeing to said report be laid on the

table.

Then the Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M.—MAY 4, 1837.

The Senate met pursuant to adjournment.

Mr. Spraker presented the memorial of the president, directors and company of the Mohawk Bridge Company, in relation to the Mohawk and Hudson Rail-Road Company; which was read, and laid on the table.

Mr. Willes, from the committee on roads and bridges, reported without amendment, two several bills from the Assembly, of the following titles,

to wit:

"An act authorizing Samuel Hinckley to establish a ferry from Cape Vincent to Long or Grand Island in Upper Canada:"

"An act to raise money on the town of Oswegatchie, for the repair

of roads and bridges:"

Which was agreed to by the Senate, and the bills ordered to a third

reading.

Mr. Edwards, from the committee on the judiciary, reported against the bill from the Assembly, entitled "An act for the relief of Isaac J. Forbes;" which was committed to a committee of the whole.

Mr. Young, from the committee on literature, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Troy Female Seminary;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Mack, from the committee on rail-roads, reported without amendment, two several bills from the Assembly, of the following titles, to

wit:

"An act to provide for the construction of a rail-road from the village of Penfield to the Erie canal:"

"An act to provide for the construction of a rail-road from Jordan to the northern termination of the Skaneateles rail-road:"

Which was agreed to by the Senate, and the bills ordered to a third

reading.

Mr. L. Beardsley, from the committee on the judiciary, reported without amendment, two several bills from the Assembly, of the following titles, to wit:

"An act for the relief of Jonathan Morgan and his legal representa-

tives:"

"An act for the relief of William Turner and others, resident aliens:"
Which was agreed to by the Senate, and the bills ordered to a third

reading.

Mr. L. Beardsley, from the committee on finance, reported with amendments, the bill from the Assembly, entitled "An act to authorize the commissioners of the land-office to release to Joseph Lamprey and others certain real estate in the county of Monroe;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Livingston, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act authorizing certain persons to erect and maintain docks on the East river, and Bushwick inlet in the village of Williamsburgh;" which was committed to a commit-

tee of the whole.

Mr. Paige, from the select committee to which was referred the petition of sundry citizens of Hudson, Columbia county, brought in a bill, entitled "An act to authorize a grant of lands under water in the city of Hudson;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Paige, from the select committee to which were referred the petition and remonstrance of sundry citizens of Hudson, brought in a bill, entitled "An act to erect the town of Greenport, in the county of Columbia;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Mack, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Groton Academy;" which was agreed to by the Senate, and the bill ordered to a third reading.

A copy of a resolution was received from the Assembly, and read, in

the words following, to wit:

Resolved, (if the Senate concur,) That the Canal Commissioners be directed to report to the next Legislature, on or before the fifteenth day of January, their opinion as to the practicability of constructing a navigable feeder from the Conesus outlet to the Genesee Valley canal, and whether in their opinion the construction of said feeder would add to the revenue of the canals of the State.

Ordered, That said resolution be referred to the committee on canals.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act in relation to the supreme court commissioner residing at Cooperstown, Otsego county."

Also the bill, entitled "An act to erect the town of Long-Lake, in the

county of Hamilton."

Also the bill, entitled "An act to incorporate the Fayetteville Aca-

demy."

Also the bill, entitled "An act authorizing the trustees of the village of Catskill, or their successors in office, to subscribe for two thousand shares in the increased capital stock of the Canajoharie and Catskill Rail-Road Company, and to borrow money to pay for the same."

Also the bill, entitled "An act increasing the salary of certain officers

therein mentioned.

W. L. MARCY.

Albany, May 4, 1837.

Mr. Young asked for and obtained leave of absence for Mr. Van

Dyck for three days.

Three several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act confirming the classification and official acts of certain jus-

tices of the peace in the county of Lewis:"

"An act to authorize the board of supervisors of Orange county, to raise money by tax on the towns of Goshen and Minisink, to build a bridge across the Walkill at George Phillips's, between said towns:"

"An act in relation to school district number one in the town of Boon-

ville:"

Which were presented to his excellency the Governor by the clerk.

The bill entitled "An act to provide for the survey of certain lands overflowed by water on the Oswego canal, and for other purposes," was received from the Assembly, with a message informing that they had concurred in the amendment of the Senate to the said bill, with amendments.

Thereupon,

Resolved, That the Senate concur in the said amendments of the Assembly to their amendments to the said bill.

Ordered, That the clerk deliver said bill, and a copy of said resolu-

tion to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to appoint commissioners to lay out a road from Manheim bridge to Cherry-Valley;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act in relation to the appraisement of damages on the canals, and for other purposes,' passed May 4, 1829;" which was read the first time, and by unanimous consent was also read

a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to authorize associations for the purpose of banking;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee of the whole, when on the bill entitled "An act to authorize associations for the purpose of banking."

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, two several bills, of the following titles, to wit:

"An act respecting the State arsenal in the city of New-York:"

"An act to authorize the Brooklyn and Jamaica Rail-Road Company to alter the route of part of the Brooklyn and Jamaica Turnpike Road."

Thereupon,

The said engrossed bill, entitled "An act respecting the State arsenal in the city of New-York," was read the third time and passed.

The engrossed bill, entitled "An act to restrict and equalize certain fees of notaries public," was read the third time and passed.

The engrossed bill, entitled "An act to incorporate the Auburn Hydraulic Association," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Powers
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tallmadge
Mr. Edwards	Mr. McLean	Mr. Tracy
Mr. Hunter	Mr. Mack	Mr. Wager
Mr. Huntington	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Paige	Mr. Works
Mr. H. F. Jones	. •	

The engrowed bill, entitled "An act to authorize the Brooklyn and Jamaica Rail-Road Company, to alter the route of part of the Brooklyn and Jamaica Turnpike Road," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. L. Beardsley	Mr. Lacy	Mr. Sterling
Mr. Dickinson	Mr. Lawyer	Mr. Tallmadge
Mr. Downing	Mr. Livingston	Mr. Tracy
Mr. Edwards	Mr. Loomis	Mr. Wager
Mr. Hunter	Mr. McLean	Mr. Willes
Mr. Huntington	Mr. Mack	Mr. Works
Mr. Johnson	Mr. Paige	Mr. Young
Mr. H. F. Jones	J	•

Ordered, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act authorizing money to be raised by tax on certain towns of the county of Erie, for improving the roads passing through the Indian reservation in said county," with the engrossed amendments, was read the third time and passed.

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The hill from the Assembly, entitled "An act to amend an act to incorporate the village of Medina, in the county of Orleans, passed March 3, 1832," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. J. P. Jones	Mr. Powers	
Mr. Lacy	Mr. Spraker	
	Mr. Sterling	
	Mr. Tallmadge	
Mr. Loomis		
Mr. McLean		
Mr. Mack	Mr. Willes	
Mr. Maison	Mr. Works	
Mr. Paige	Mr. Young	27
	Mr. Lacy Mr. Lawyer Mr. Livingston Mr. Loomis Mr. McLean Mr. Mack Mr. Maison	Mr. Lacy Mr. Spraker Mr. Lawyer Mr. Livingston Mr. Loomis Mr. Tallmadge Mr. McLean Mr. Wager Mr. Mack Mr. Willes Mr. Works

The bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the city of Troy, and for other purposes,' with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker
Mr. Dickinson	Mr. Lawyer	Mr. Sterling
Mr. Downing	Mr. Livingston	Mr. Tallmadge
Mr. Edwards	Mr. Loomis	Mr. Tracy
Mr. Hunter	Mr. McLean	Mr. Wager
Mr. Huntington	Mr. Mack	Mr. Willes
Mr. Johnson	Mr. Maison	Mr. Works
Mr. H. F. Jones	Mr. Paige	Mr. Young

The bill from the Assembly, entitled "An act to incorporate the Groton Academy," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

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27

The bill from the Assembly, entitled "An act to incorporate the Leicester Bridge Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Wager
Mr. Hunter	Mr. Mack	Mr. Willes
Mr. Huntington	Mr. Maison	Mr. Works
Mr. Johnson	Mr. Paige	Mr. Young
Mr. H. F. Jones	Mr. Powers	

The bill from the Assembly, entitled "An act to authorize the commissioners of the land-office to release to Joseph Lamprey and others, certain real estate in the county of Monroe," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Spraker
Mr. L. Beardsley	Mr. Lacy	Mr. Sterling
Mr. Dickinson	Mr. Lawyer	Mr. Tallmadge
Mr. Downing	Mr. Livingston	Mr. Tracy
Mr. Edwards	Mr. Loomis	Mr. Wager
Mr. Hunter	Mr. McLean	Mr. Willes
Mr. Huntington	Mr. Maison	Mr. Works
Mr. Johnson	Mr. Paige	Mr. Young
Mr. H. F. Jones	Mr. Powers	

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act authorizing Samuel Hinckley to establish a ferry from Cape Vincent to Long or Grand Island," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the Troy Female Seminary," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

Mr. Armstrong Mr. L. Beardsley	Mr. Lacy Mr. Lawyer	Mr. Powers Mr. Spraker Mr. Sterling
Mr. Dickinson	Mr. Livingston	Mr. Sterung

Mr. Edwards	Mr. Loomis	Mr. Tallmadge
Mr. Hunter	Mr. McLean	Mr. Tracy.
Mr. Huntington	Mr. Mack	Mr. Willes
Mr. Johnson	Mr. Maison	Mr. Works
Mr. H. F. Jones	Mr. Paige	Mr. Young
Mr. J. P. Jones		,

The bill from the Assembly, entitled "An act to provide for the construction of a rail-road from Jordan to the northern termination of the Skaneateles rail-road," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers	
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker	-
Mr. Dickinson	Mr. Lawyer	Mr. Sterling	
Mr. Downing	Mr. Livingston	Mr. Tallmadge	
Mr. Edwards	Mr. Loomis	Mr. Tracy	
Mr. Hunter	Mr. McLean	Mr. Wager	
Mr. Huntington	Mr. Mack	Mr. Willes	
Mr. Johnson	Mr. Maison	Mr. Works	
Mr. H. F. Jones	Mr. Paige		26

FOR THE NEGATIVE.

Mr. Young 1

The bill from the Assembly, entitled "An act for the relief of William Turner and others, resident aliens," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Dickinson	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Hunter	Mr. McLean	'Mr. Wager
Mr. Huntington	Mr. Mack	Mr. Willes
Mr. Johnson	Mr. Maison	Mr. Works
Mr. H. F. Jones	Mr. Paige	Mr. Young
Mr. J. P. Jones	Mr. Powers	

The bill from the Assembly, entitled "An act for the relief of Jonathan Morgan and his legal representatives," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to revive and amend the charter of the Watertown and

Rome Rail-Road Company,' passed May 10, 1836," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Powers	
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker	
Mr. Dickinson	Mr. Livingston	Mr. Sterling	
Mr. Downing	Mr. Loomis	Mr. Tallmadge	
Mr. Edwards	Mr. McLean	Mr. Tracy	
Mr. Hunter	Mr. Mack	Mr. Wager	
Mr. Johnson	Mr. Maison	Mr. Willes	
Mr I P Iones	Mr Paige	Mr Works	94

The bill from the Assembly, entitled "An act to provide for the construction of a rail-road from the village of Penfield to the Erie canal," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Powers	
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker	
Mr. Dickinson	Mr. Livingston	Mr. Sterling	
Mr. Downing	Mr. Loomis	Mr. Tallmadge	
Mr. Hunter	Mr. McLean	Mr. Tracy	
Mr. Johnson	Mr. Mack	Mr. Wager	
Mr. H. F. Jones	Mr. Maison	Mr. Willes	
Mr. J. P. Jones	Mr. Paige	Mr. Works	24

The bill from the Assembly, entitled "An act to raise money on the town of Oswegatchie, for the repair of roads and bridges," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

ment

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to provide for the construction of a rail-road from Oswego to Utica,' passed 13th May, 1836," was read the third time and lost; two-thirds of all the members elected to the Senate not voting in favor thereof, as follows, to wit:

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Dickinson	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. McLean	Mr. Tallmadge
Mr. Hunter	Mr. Mack	Mr. Tracy

Mr. Johnson Mr. Maison Mr. Wager Mr. H. F. Jones Mr. Paige Mr. Works 21

FOR THE NEGATIVE.

Mr. Edwards Mr. Loomis Mr. Young
Mr. Lacy Mr. Willes 5

Thereupon,

Resolved, That the said bill be rejected.

Ordered, That the clerk deliver said bill, and a copy of said resolu-

tion to the Assembly.

Ordered, That the committee of the whole be discharged from the further consideration of two several bills, of the following titles, to wit:

"An act relating to common schools in the city of Albany:"

"An act in addition to the act entitled 'An act to compel voluntary associations to furnish to the public the names of their members:"

And that the same be ordered to be engrossed for a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of four several bills from the Assembly, of the following titles, to wit:

"An act for the relief of Catharine Fridley:"
"An act to incorporate the Knoxville Academy:"

"An act to amend an act entitled 'An act relating to common schools

in the city of Albany?"

"An act authorizing money to be raised by tax on certain towns of the county of Erie, for improving roads passing through the Indian reservation in said county:"

And that the same be severally ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act appointing commissioners to lay out and open a public highway from the east line of the town of Watson in the county of Lewis, to Moriah in the county of Essex," and that the same be recommitted to the committee on roads and bridges.

The Senate then took up the consideration of the report of the committee of the whole, on the bill entitled "An act relative to the Mohawk and Hudson Rail-Road Company;" and after amending the same agreed

to it, and ordered the bill to be engreesed for a third reading.

Ordered, That the amendments to the bill from the Assembly, enti-

tled "An act in relation to bills of costs," be printed.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" the bill from the Assembly, entitled "An act to authorize associations for the purpose of banking;" and the bill from the Assembly, entitled "An act to prevent usury;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Willes, on behalf of Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M.—MAY 5, 1837.

The Senate met pursuant to adjournment.

Mr. Wager presented four several remonstrances of inhabitants of Oneida county, against a repeal of the charter of the Oneida Bank: which were read, and referred to the committee of the whole when on the bill on that subject.

Mr. Dickinson presented a statement of facts of inhabitants of Smyrna. in relation to the Smyrna and Earlville road; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Edwards, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act relating to assistant justices' courts in the city of New-York;" which was committed to a committee of the whole.

Mr. Dickinson, from the committee on canals, to whom was referred the resolution of the Assembly of the 3d inst. directing the Canal Commissioners, on or before the 15th day of January, to report their opinion as to the practicability of constructing a navigable feeder from the Conesus outlet to the Genesee Valley canal, &c., reported in favor of the same.

Thereupon,

Resolved, That the Senate do concur with the Assembly in the said

Ordered, That the clerk deliver a copy of said resolution of concurrence to the Assembly.

Mr. Young, from the committee on literature, to whom was referred a petition praying for an act to incorporate the Repository of the American Institute, brought in a bill, entitled "An act incorporating the Repository of the American Institute;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Willes, from the committee on roads and bridges, reported with amendments, the bill from the Assembly, entitled "An act appointing commissioners to lay out and open a public highway from the east line of the town of Watson in the county of Lewis, to Moriah in the coun-

ty of Essex."

Ordered. That the question on agreeing to said amendments be laid on the table.

Mr. Seger, from the committee on the incorporation of cities and villages, reported with amendments, the bill from the Assembly, entitled "An act to incorporate the village of Dunkirk;" which was agreed to by the Senate, the amendments ordered to be engressed, and the bill to a third reading.

Mr. Armstrong, from the committee on banks and insurance companies, brought in a bill, entitled "An act in addition to the act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes, passed April 2d, 1829;" which was read the first time, and by unanimous consent was also read a second time, and laid

on the table.

Ordered, That the said bill be printed.

Mr. L. Beardsley, from the committee on finance, brought in a bill, entitled "An act making provision for an additional clerk in the treasurer's office;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engressed for a third reading.

Mr. Tallmadge, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to authorize the mayor, aldermen and commonalty of the city of New-York, to lay out a permanent exterior line for the said city in the Harlaem river, and for other purposes;" which was agreed to by the Senate, and the bill order-

ed to a third reading.

Mr. Tracy, from the select committee appointed in pursuance of a resolution of the Senate of the 18th January last, for the purpose of investigating the conduct of the Hon. Samuel Young, in relation to the sale of certain stock, made a report thereon, which was read.

[See Senate Document No. 66.]

Mr. Maison, from the same committee, also made a report on the same subject, which was read.

[See Senate Document No. 66.]

Ordered, That said reports be laid on the table.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act in relation to school district number one in the town of Boonville."

Also the bill, entitled "An act confirming the classification and official acts of certain justices of the peace in the county of Lewis."

Also the bill, entitled "An act to authorize the board of supervisors of Orange county, to raise money by tax on the towns of Goshen and Minisink, to build a bridge across the Walkill at George Phillips's, between said towns."

W. L. MARCY.

Albany, May 5, 1837.

Eight several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to wit:

"An act to incorporate the Croton Bridge Company:"

"An act to revive the act incorporating the Troy Academy, and to unite the same with the Rensselaer Institute:"

"An act declaring a part of the Oak Orchard creek a public high-way:"

"An act to amend an act to incorporate the Schuylerville Bridge Company;"

"An act for the relief of Jacob Westlake and John McConnell:"

"An act confirming the official acts of the town officers of the town of Niagara, in the county of Niagara:"

"An act further to amend an act in relation to the president, direc-

tors and first company of the Northern Turnpike road:"

"An act for the relief of Gloudy Hamilton and James Quige:"

The said amended bills having been examined,

Ordered. That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to provide for the construction of a rail-road from Troy to West-Stockbridge;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on rail-roads.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act for the partial organization of the county of Hamilton;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the fourth senate district.

The bill entitled "An act to amend the act entitled 'An act to incorporate the village of Binghamton,' passed May 3, 1834," was received from the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

A copy of a resolution was received from the Assembly, and read, in

the words following, to wit:

Resolved, (if the Senate concur,) That a committee of three be appointed, to consist of one member of the Senate and two members of the Assembly, to examine the accounts and vouchers of the Treasurer, pursuant to the provisions of title four of chapter eighth of the first part of the Revised Statutes; and in case of concurrence, that Mr. Ogden and Mr. Clinch be of the said committee on the part of the Assembly.

Ordered, That the said resolution be laid on the table.

Ordered, That the committee of the whole be discharged from the further consideration of two several bills from the Assembly, of the following titles, to wit:

"An act to divide the town of Erwin, in the county of Steuben:"

"An act authorizing certain persons to erect and maintain docks on the East river, and Bushwick inlet in the village of Williamsburgh:"

And that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, entitled "An act relative to the Albany Basin," and that the same be engrossed for a third reading.

Mr. Dickinson asked for and obtained leave of absence for the se-

mainder of the session.

Mr. Dickinson asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to amend the act entitled 'An act to provide for the building of a new court-house in the county of Che-

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nango;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. L. Beardsley moved the following preamble and resolution:

Believing from the present condition of legislative business that no adequate reason requires the Legislature to remain in session till the 16th instant: Therefore,

Resolved, (the honorable Assembly concurring,) That the Legislature will adjourn on the 11th instant, at 12 o'clock at noon, the joint resolution heretofore passed to the contrary notwithstanding.

Ordered, That said preamble and resolution be laid on the table.

A report from the Attorney-General, on the subject of the act authorizing county judges to inspect turnpike roads and to fix the location of gates thereon, was received and read.

[See Senate Document No. 67.]

The Senate took up the consideration of the report of the committee of the whole, on the bill entitled "An act to authorize county judges to inspect turnpike roads, and to fix the location of gates thereon;" which was read in the words following, to wit:

An Act to authorize county judges to inspect turnpike roads, and to fix the location of gates thereon.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

is 1. The several judges of country courts in each of the counties of this state, shall possess all the powers and exercise all the duties of inspectors of turnpikes, as prescribed in chapter eighteen of the first part of the Revised Statutes, and shall be entitled to the same compensation.

§ 2. The office of inspector of turnpikes is hereby abolished.

§ 3. When a toll-gate shall be opened in pursuance of an order of a judge, it shall not be closed except upon the order of the same judge, or

of two other judges.

- § 4. It shall be lawful for the judges of the county courts, or any three of them, of the county in which any toll-gate may hereafter be erected upon any turnpike road, to determine and fix the location thereof.
- 5 5. The act passed May 10th; 1836, entitled "An act to amend article third, title one, chapter eighteen of part first of the Revised Statutes, relating to turnpike corporations," is hereby repealed.

Mr. President put the question on agreeing to the said report, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

POR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Livingston	Mr. Powers
Mr. L. Beardsley	Mr. McLean	Mr. Seger
Mr. Downing	Mr. Mack	Mr. Spraker
Mr. Hunter	Mr. Maison	Mr. Sterling
Mr. Johnson	Mr. Paige	Mr. Wager
Mr. H. F. Jones	ū	G **

FOR THE NEGATIVE.

Mr. Lacy	Mr. Tallmadge	Mr. Works	
Mr. Lawyer	Mr. Tracy	Mr. Young	
Mr. Loomis	Mr. Willes	•	8

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Thereupon, Ordered, That the said bill be engressed for a third reading.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, four several bills, of the following titles, to wit:

"An act relative to the common schools in the city of Albany:" "An act to erect the town of Greenport, in the county of Columbia:" "An act to authorize a grant of lands under water in the city of

Hndson:"

"An act relative to the Mohawk and Hudson Rail-Road Company."

The said engrossed bill, entitled "An act relative to the common schools in the city of Albany," was read the third time and passed.

The said engrossed bill, entitled "An act to erect the town of Greenport, in the county of Columbia," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Seger
Mr. L. Beardsley	Mr. Livingston	Mr. Spraker
Mr. Dickinson	Mr. Loomis	Mr. Sterling
Mr. Downing	Mr. McLean	Mr. Tallmadge
Mr. Edwards	Mr. Mack	Mr. Tracy
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Works
Mr. H. F. Jones	Mr. Powers	Mr. Young
Mr. Lacy		•

Ordered, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to authorize associations for the purpose of banking;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported that the committee had stricken out the first section of the said bill.

Mr. President put the question un agreeing to the said report, and it was decided in the affirmative.

The year and hays being moved and seconded, were as follows,

to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Maison	15
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Paige	
Mr. Downing	Mr. Lawyer	Mr. Powers	
Mr. Hunter	Mr. McLean	Mr. Seger	
Mr. Johnson	Mr. Mack	Mr. Wager	

FOR THE NEGATIVE.			
Mr. Edwards Mr. Huntington Mr. Lacy Mr. Livingston	Mr. Loomis Mr. Sterling Mr. Tallmadge	Mr. Tracy Mr. Works Mr. Young	10

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to authorize associations for the purpose of banking;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported that the committee had stricken out the first section of the said ъĦ.

Mr. President put the question on agreeing to the said report, and it was decided in the affirmative.

The yeas and nays being moved and accorded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. L. Beardsley Mr. Downing Mr. Hunter Mr. Huntington Mr. Johnson	Mr. H. F. Jones Mr. J. P. Jones Mr. Lawyer Mr. McLean Mr. Mack	Mr. Maison Mr. Paige Mr. Powers Mr. Seger Mr. Wager	16
		•	

FOR THE NEGATIVE.

Mr. Edwards	Mr. Loomis	Mr. Tracy	
Mr. Lacy	Mr. Sterling	Mr. Works	
Mr. Livingston	Mr. Tallmadge	Mr. Young	9

Resolved, That the said bill be rejected.

Ordered, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

The Senate then resolved itself into a committee of the whole, on the

bill entitled "An act to amend the Revised Statutes in relation to usury;" and the bill from the Assembly, entitled "An act to prevent usury;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M.-MAY 6, 1837.

The Senate met pursuant to adjournment.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to appoint commissioners to lay out a road from Manheim bridge to Cherry-Valley;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. H. F. Jones, from the committee on charitable and religious societies, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act to provide for the incorporation of religious societies," passed March 5, 1819;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Mack, from the committee on rail-roads, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled "An act to provide for the construction of a rail-road from Troy to West-Stockbridge;" which was agreed to by the Senate, and the bill

ordered to a third reading.

Mr. Edwards, from the committee on the judiciary, to whom was referred the petition of John Jackson and others, for the confirmation of the order and decree of the Vice-Chancellor of the first circuit, relative to the sale of real estate, brought in a bill, entitled "An act for the relief of John Jackson and others;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Seger, from the committee on the incorporation of cities and villages, reported without amendment, two several bills from the Assem-

bly, of the following titles, to wit:

"An act further to amend an act entitled 'An act to incorporate the city of Rochester:'

"An act to revive and amend the act entitled 'An act to incorporate the village of Auroraville, in the county of Erie:"

Which was agreed to by the Senate, and the bills ordered to a third

reading.

Mr. McLean, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled "An act for the partial organization of the county of Hamilton;"

which was agreed to by the Senate, and the bill ordered to a third

reading.

Mr. L. Beardsley, from the committee on finance, brought in a bill, entitled "An act for the relief of the president, directors and company of the New-York State Bank;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. J. P. Jones asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act relative to the village of Monticello, in the county of Sullivan;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engros-

sed for a third reading.

Ordered, That the bill, entitled "An act in addition to the act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes, passed April 2, 1829," be engrossed for a

third reading.

Mr. Tracy asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act authorizing the comptroller to loan money to the city of Buffalo;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Tracy asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to amend an act entitled 'An act to incorporate the New-York Statistical Society,' passed May 25, 1836;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Two several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles,

to wit:

"An act to incorporate the Groton Academy:"

"An act authorizing money to be raised by tax on certain towns of the county of Erie, for improving the roads passing through the Indian reservation in said county:"

The said amended bills having been examined.

Ordered, That the clerk return the same to the Assembly.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Manheim and Salisbury Rail-Road Company,' passed May 24, 1836:""

"An act to amend an act to incorporate the Mayville and Portland

Rail-Road Company, passed March 29, 1832:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on rail-roads.

Two several bills were received from the Assembly for concurrence, of the following titles, to wit:

"An act to incorporate the Rossie Lead Mining Company:"

"An act to incorporate the Rossie Galena Company:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on manufactures.

Mr. Tallmadge moved the following resolution:

Resolved, That the committee on the judiciary inquire into the expediency of so altering the law in relation to the foreclosure of mortgages, either at law or in equity, that the time for redemption of the lands sold under said foreclosure, may be extended to one year from the time of said sale.

Ordered, That said resolution be laid on the table.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to amend an act incorporating the village of Johnstown, in the county of Montgomery," and that the same be ordered to a third reading.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, five several bills, of the following titles, to wit:

"An act in addition to the act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes, passed April 2, 1829:"

"An act relating to the Albany basin:"

"An act to amend the act entitled 'An act to provide for the building of a new court-house in the county of Chenango:"

"An act making provision for an additional clerk in the Treasurer's

office:"

"An act to authorize county judges to inspect turnpike roads, and to fix the location of gates thereon."

Thereupon,

The said engrossed bill, entitled "An act in addition to the act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes, passed April 2, 1829," was read the third time and passed.

The said engrossed bill, entitled "An act to amend the act entitled 'An act to provide for the building of a new court-house in the county

of Chenango,'" was read the third time and passed.

The engrossed bill, entitled "An act relative to the Mohawk and Hudson Rail-Road Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tallmadge
Mr. Edwards	Mr. McLean	Mr. Tracy
Mr. Hunter	Mr. Mack	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. H. F. Jones	Mr. Seger	Mr. Young
Mr. J. P. Jones		

The engrossed bill, entitled "An act to authorize a grant of lands under water in the city of Hudson," was read the third time and pass-

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ed; two-thirds of all the members elected to the Sanate voting in favor thereof, as follows, to wit:

FOR THE APPIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tallmadge
Mr. Edwards	Mr. McLean	Mr. Tracy
Mr. Hunter	Mr. Mack	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. H. F. Jones	Mr. Seger	Mr. Young
Mr. J. P. Jones		•

Ordered, That the clerk deliver the said bills to the Assembly, and request their concurrence to the same.

25

The engrossed bill, entitled "An act incorporating the Repository of the American Institute," was read the third time.

The engrossed bill, entitled "An act relating to the Albany basin," was read the third time.

Ordered, That the question on the final passage of the said bills be laid on the table.

The engrossed bill, entitled "An act to authorize county judges to inspect turnpike roads, and to fix the location of gates thereon," was read the third time.

Mr. Willes moved to lay the question on the final passage of said bill on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Talimadge
Mr. Downing	Mr. Lawyer	Mr. Tracy
Mr. Edwards	Mr. Loomis	Mr. Willes
Mr. Hunter	Mr. McLean	Mr. Works
Mr. Huntington	Mr. Spraker	Mr. Young
Mr. J. P. Jones	•	16

FOR THE NEGATIVE.

Mr. L. Beardsley	Mr. Mack	Mr. Seger	
Mr. Johnson	Mr. Paige	Mr. Sterling	
Mr. H. F. Jones	Mr. Powers	Mr. Wager	9

The engrossed bill, entitled "An act making provision for an additional clerk in the Treasurer's office," was read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the negative.

. The yeas and nays being moved and seconded, were as follows, to wit:

POR THE NEGATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Tracy
Mr. Edwards	Mr. Loomis	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Works
Mr. Johnson Mr. J. P. Jones	Mr. Spraker	Mr. Young

FOR THE AFFIRMATIVE.

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Mr. L. Beardsley	Mr. Lawyer	Mr. Seger	
Mr. Downing	Mr. McLean	Mr. Sterling	
Mr. Hunter	Mr. Mack	Mr. Tallmadge	
Mr. H. F. Jones	Mr. Paige	Mr. Wager	12

The Senate then took up the consideration of the report of the committee on roads and bridges, on the bill from the Assembly, entitled "An act appointing commissioners to lay out and open a public highway, from the east line of the town of Watson in the county of Lewis, to Moriah in the county of Essex;" which was to strike out all of the said bill after the enacting clause, for the purpose of inserting three other clauses.

Mr. Seger called for a division of the question on striking out and inserting.

inserting.

Mr. President then put the question on striking out the said sections,

and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker	
Mr. Edwards	Mr. Loomis	Mr. Sterling	
Mr. Hunter	Mr. McLean	Mr. Tracy	
Mr. Huntington	Mr. Paige	Mr. Willes	
Mr. Lacy	Mr. Powers	Mr. Young	15

FOR THE NEGATIVE.

Mr. L. Beardsley	Mr. H. F. Jones	Mr. Tallmadge	
Mr. Downing	Mr. Mack	Mr. Wager	
Mr. Johnson	Mr. Seger	Mr. Works	9

Mr. President put the question on inserting the said clauses, and it was decided in the affirmative.

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The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. L. Beardsley Mr. Edwards Mr. Hunter Mr. Hunter	Mr. H. F. Jones Mr. Lacy Mr. Lawyer Mr. Loomis Mr. McLean	Mr. Paige Mr. Powers Mr. Spraker Mr. Sterling Mr. Tallmadge	
Mr. Huntington	Mr. McLean	Mr. Tallmadge	18
Mr. Johnson	Mr. Mack	Mr. Willes	

FOR THE NEGATIVE.

Mr. Downing	Mr. Tracy	Mr. Works	
Mr. Seger	Mr. Wager	Mr. Young	6

Ordered, That the said amendments be engressed and the bill to a third reading.

Two several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act in addition to the act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes, passed April 2, 1829:"

"An act relative to common schools in the city of Albany:"

Which were presented to his excellency the Governor by the clerk.

The bill entitled "An act to amend an act to incorporate the village of Medina, in the county of Orleans, passed March 3, 1832," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the said bill, except the amendments to the 24th and 42d sections.

Resolved, That the Senate do recede from their said amendments not concurred in by the Assembly; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

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Ordered, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

The bill from the Assembly, entitled "An act for the appointment of a harbor-master for the port of Albany," with the engressed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act to amend an act incorporating the village of Johnstown, in the county of Montgomery," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tallmadge
Mr. Edwards	Mr. McLean	Mr. Tracy
Mr. Hunter	Mr. Mack	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. H. F. Jones	Mr. Seger	Mr. Young
Mr I P Iones	•	· ·

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed March 5, 1819," with the engressed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

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FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Spraker
Mr. L. Beardsley	Mr. Lacy	Mr. Tallmadge
Mr. Downing	Mr. Lawyer	Mr. Tracy
Mr. Edwards	Mr. Loomis	Mr. Wager
Mr. Hunter	Mr. McLean	Mr. Willes
Mr. Huntington	Mr. Mack	Mr. Works
Mr. Johnson	Mr. Powers	Mr. Young
Mr. H. F. Jones	Mr. Seger	J

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act to incorporate the Knoxville Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tallmadge
Mr. Edwards	Mr. McLean	Mr. Tracy
Mr. Hunter	Mr. Mack	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Willes

Mr. H. F. Jones Mr. Powers Mr. Works Mr. J. P. Jones Mr. Seger Mr. Young Mr. Lacy

The bill from the Assembly, entitled "An act for the relief of Catha-

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rine Fridley," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act relating to common schools in the city of Albany,'" was

read the third time and passed.

The bill from the Assembly, entitled "An act authorizing certain persons to erect and maintain docks in the East river and Bushwick inlet, in the village of Williamsburgh," was read the third time and passed.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act for the partial organization of the county of Hamilton,"

was read the third time and passed.

The bill from the Assembly, entitled "An act further to amend an act entitled 'An act to incorporate the city of Rochester,'" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger	
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker	
Mr. Downing	Mr. Lawyer	Mr. Sterling	
Mr. Edwards	Mr. Loomis	Mr. Tallmadge	
Mr. Hunter	Mr. McLean	Mr. Tracy	
Mr. Huntington	Mr. Mack	Mr. Wager	
Mr. Johnson	Mr. Paige	Mr. Willes	
Mr. H. F. Jones	Mr. Powers	Mr. Works	24

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to provide for the construction of a rail-road from Troy to West-Stockbridge,'" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger	
Mr. L. Beardsley	Mr. Lacy	Mr. Spraker	
Mr. Downing	Mr. Lawyer	Mr. Sterling	
Mr. Edwards	Mr. Loomis	Mr. Tallmadge	
Mr. Hunter	Mr. McLean	Mr. Tracy	
Mr. Huntington	Mr. Mack	Mr. Wager	
Mr. Johnson	Mr. Paige	Mr. Willes	
Mr. H. F. Jones	Mr. Powers	Mr. Works	24

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill entitled "An act for the appointment of a harbor-master for the port of Albany," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the said bill, and had amended it accordingly.

The said amended bill having been examined, Ordered, That the clerk return the same to the Assembly.

Then the Senate adjourned until 10 o'clock on Monday morning next.

MONDAY, 10 O'CLOCK, A. M.-MAY 8, 1837.

The Senate met pursuant to adjournment.

Mr. Loomis, from the committee on manufactures, reported without amendments, two several bills from the Assembly, of the following titles, to wit:

"An act to incorporate the Rossie Galena Company:"

"An act to incorporate the Rossie Lead Mining Company:"

Which was agreed to by the Senate, and the bills ordered to a third

reading.

Mr. L. Beardsley, from the committee on finance, reported without amendment, the bill entitled "An act authorizing the comptroller to loan money to the city of Buffalo;" which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Beckwith, from the committee on the division of towns and counties, to whom were referred the petition and remonstrances of sundry inhabitants of Dryden and Groton, in relation to annexing a part of the former town to the latter, reported against the prayer of the said peti-

tion; which was agreed to by the Senate.

Mr. Spraker, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Manheim and Salisbury Rail-Road Company,' passed May 24, 1836;'" which was agreed to by the Senate, and the bill ordered to a third reading.

A message from his excellency the Governor, delivered by his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN.

I have this day approved and signed the bill, entitled "An act to amond the act entitled 'An act to incorporate the village of Binghamton,' passed May 3, 1834."

W. L. MARCY.

Albany, May 6, 1837.

Four several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to wit:

"An act to incorporate the Dunkirk Fire and Marine Insurance Com-

pany:"

"An act for the relief of John P. Smith and others, contractors on the northern division of the Chenango canal:"

"An act to amend the act entitled 'An act to incorporate the city of

Troy, and for other purposes:"

"An act to authorize the commissioners of the land-office to release to Joseph Lamprey and others certain real estate in the county of Monroe:"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

Five several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act relative to the circuit courts and courts of oyer and terminer

in and for the counties of Schenectady and Schoharie:"

"An act authorizing the Utica and Schenectady Rail-Road Compa-

ny to carry extra baggage:"

"An act to incorporate the Canajoharie and Sharon Turnpike Company:"

"An act respecting the State arsenal in the city of New-York:"
"An act regulating costs in proceedings to recover damages for the

use and occupation of lands after judgment in ejectment:"

Which were presented to his excellency the Governor by the clerk.

Two several bills were received from the Assembly for concurrence,
of the following titles, to wit:

"An act to amend the act entitled 'An act to incorporate the city of

Buffalo:"

"An act to incorporate the village of Fairport, in the county of Che-

mung:"

Which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on the incorporation

of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Salisbury and Little-Falls McAdam Road Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act relative to and to change the name of the First Great Southwestern Turnpike Road Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the senators attending the Senate from the second senate district.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Burlington Flatts Aqueduct Association;" which

was read the first time, and by unanimous concent was also read a second time, and referred to a select committee, consisting of the senators

attending the Senate from the sixth senate district.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the Kingston Turnpike and Rail-Road Company,' passed April 23, 1835;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on rail-roads.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the West-Carthage Iron and Lead Company;" which was read the first time, and by unanimous consent was also read a se-

cond time, and referred to the committee on manufactures.

Mr. Maison, in pursuance of notice heretofore given, brought in a bill, entitled "An act to extend certain special provisions of the militia law to the city of Buffalo;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Tallmadge asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act relative to the court of common pleas for the city and county of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Loomis,

Resolved, That the Senate reconsider its vote on the final passage of the bill, entitled "An act making provision for an additional clerk in the treasurer's office."

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to repeal the charter of the Sackett's-Harbor Bank;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Loomis, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to prevent usury;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported the same with amend-

ments.

Thereupon,

Mr. Maison moved to amend the said report, by adding the following section:

"Any promise or engagement, by way of endorsement or otherwise, by which the negotiator or vendor of any bill, note or evidence of debt assumes to guaranty the payment of any such note, bill or evidence of debt, or any part thereof, which shall have been transferred or sold at a greater rate of discount than seven per cent per annum, shall be utterly void, as between the vendor and purchaser; such engagement or endorsement, however, shall be good and effectual to transfer the interest of the endorser or vendor in the instrument or evidence of debt so transferred or endorsed, but shall not raise a liability on the part of the endorser or vendor, to pay such note, bill or evidence of debt, or any part thereof."

Mr. L. Beardeley meved to amend the said amendment, by adding the following words:

"But this section shall not apply to foreign or inland bills of exchange, or to checks on banks, drafts or certificates of deposite in banks."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Tallmadge
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Tracy
Mr. Beckwith	Mr. Lawyer	Mr. Van Dyck
Mr. Downing	Mr. Loomis	Mr. Willes
Mr. Hunter	Mr. McLean	Mr. Young
Mr. Johnson	Mr. Paige	J

FOR THE NEGATIVE.

17

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Mr. Edwards	Mr. Maison	Mr. Sterling	
Mr. Lacy	Mr. Powers	Mr. Wager	
Mr. Mack	Mr. Seger	Mr. Works	9

Mr. President put the question on agreeing to the motion to add the said section as amended, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Tracy	
Mr. L. Beardsley	Mr. Loomis	Mr. Van Dyck	
Mr. Beckwith	Mr. McLean	Mr. Willes	
Mr. Hunter	Mr. Paige	Mr. Young	
Mr. Johnson	Mr. Tallmadge	•	14

FOR THE AFFIRMATIVE.

Mr. Downing	Mr. Maison	Mr. Sterling
Mr. Edwards	Mr. Powers	Mr. Wager
Mr. Lacy Mr. Mack	Mr. Seger	Mr. Works
Mr. Mack	•	

The Senate then agreed to the report of the committee of the whole, the amendments were ordered to be engrossed, and the bill to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to repeal the charter of the Oneida Bank;"

and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M.—MAY 9, 1827.

The Senate met pursuant to adjournment.

Mr. Loomis presented the memorial of sundry inhabitants of the south part of Chemung county, in favor of the bill relative to the rights and competency of witnesses; which was read, and referred to the committee of the whole when on the bill on that subject.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Salisbury and Little-Falls McAdam Road Company;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Seger, from the committee on the incorporation of cities and villages, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the village of Fairport, in the county of Chemung;" which was committed to a committee of the whole.

Mr. Seger, from the committee on the incorporation of cities and villages, reported without amendment, the bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the city of Buffalo;'" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Loomis, from the committee on manufactures, reported with amendments, the bill from the Assembly, entitled "An act to incorporate the West-Carthage Iron and Lead Company;" which was agreed

to by the Senate, and the bill ordered to a third reading.

Mr. Mack, from the committee on rail-roads, reported without amendment, the bill from the Assembly, entitled "An act to amend an act to incorporate the Mayville and Portland Rail-Road Company, passed March 29, 1832;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Mack, from the committee on rail-roads, reported without amendment, the bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the Kingston Turnpike and Rail-Road Company,' passed April 23, 1835;" which was agreed to by the Senate, and the bill ordered to a third reading.

A message from his excellency the Governor, delivered by his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

Gentlemen-

I have this day approved and signed the bill, entitled "An act relative to common schools in the city of Albany."

Also the bill, entitled "An act in addition to the act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes, passed April 2, 1829."

W. L. MARCY.

Albany, May 8, 1837.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the official acts of John Aldrich, as commissioner of deeds of the town of Ridgeway;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to revive the act entitled 'An act to provide for the construction of a rail-road from Herkimer to Trenton;" which was read the first time, and by unanimous consent was also read a second time, and referred to

the committee on rail-roads.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act to annex a part of the town of Ovid to the town of Lodi, in the county of Seneca,' passed May 5, 1837;" which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Ulster Cotton and Woollen Manufacturing Company;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence, entitled "An act in relation to State loans;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. L. Beardsley moved that said bill be ordered to a third reading. Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. J. Beardsley	Mr. Lacy	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	
Mr. Downing	Mr. McLean	Mr. Tallmadge
Mr. Hunter	Mr. Mack	Mr. Tracy
Mr. Huntington	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Works
Mr. H. F. Jones	- •	

FOR THE NEGATIVE.

Mr. Beckwith Mr. Spraker Mr. Willes Mr. Edwards Mr. Van Dyck Mr. Young Mr. Loomis

Two several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles,

"An act to incorporate the Leicester Bridge Company:"

"An act to amend an act incorporating the village of Johnstown, in the county of Montgomery:"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

The bill entitled "An act to amend an act entitled 'An act to incorporate the New-York and Albany Rail-Road Company,' passed April 17, 1832, and the act to amend the same, passed May 9, 1836," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon.

to wit:

Resolved, That the Senate do concur with the Assembly in their said amendments to the said bill; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker
Mr. L. Beardsley	Mr. Loomis	Mr. Sterling
Mr. Beckwith	Mr. McLean	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Edwards .	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. H. F. Jones	Mr. Powers	Mr. Works
Mr. J. P. Jones	Mr. Seger	Mr. Young
Mr. Lacy		•

Ordered, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

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The bill entitled "An act to abolish the January term of the court of common pleas and general sessions, in and for the county of Lewis," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Resolved, That the Senate do concur with the Assembly in their said

amendments to the said bill.

Ordered, That the clerk deliver said bill and a copy of said resolu-

tion to the Assembly.

Two several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act to confirm the acts of John A. Morrison, as a commissioner

of deeds in the town of Mamakating:"

"An act to authorize the Brooklyn and Jamaica Rail-Road Company, to alter the route of part of the Brooklyn and Jamaica turnpike road:"

Which were presented to his excellency the Governor by the clerk.

Mr. Wager moved that the bill, entitled "An act for the relief of Dan Chapman, be ordered to a third reading.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

10 wit :

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Sterling	
Mr. Edwards	Mr. Loomis	Mr. Tallmadge	
Mr. Hunter	Mr. McLean	Mr. Tracy	•
Mr. Huntington	Mr. Maison	Mr. Van Dyck	
Mr. Johnson	Mr. Paige	Mr. Willes	
Mr. J. P. Jones	Mr. Powers	Mr. Young	18

POR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. Mack	Mr. Wager	
Mr. Downing	Mr. Seger	Mr. Works	
Mr. Lawver	_		7

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to extend the charter of the Nichols and Tioga Bridge Company," and that the same be ordered to a third reading.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, two several bills, of the following titles, to wit:

"An act authorizing the comptroller to loan money to the city of Buf-

"An act to extend certain special provisions of the militia law to the city of Buffalo."

Thereupon,

The said engressed bill, entitled "An act authorizing the comptroller to loan money to the city of Buffalo," was read the third time and passed.

The said engressed bill, entitled "An act to extend certain special provisions of the militia law to the city of Buffalo," was read the third

time and passed.

The engressed bill, entitled "An act for the relief of the president, directors and company of the New-York State Bank," was read the third time and passed.

The engrossed bill, entitled "An act making provision for an additional clerk in the treasurer's office," was read the third time and passed. Ordered, That the clerk deliver the said bills to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act to prevent usury," with

the engreesed amendments, was read the third time.

Mr. President put the question on the final passage of the said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Powers
Mr. L. Beardsley	Mr. Lawyer	Mr. Seger
Mr. Downing	Mr. McLean	Mr. Spraker
Mr. Edwards	Mr. Mack	Mr. Sterling
Mr. Huntington	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Works
Mr. U. D. Tonor	J	

FOR THE NEGATIVE.

19

Mr. Beckwith	Mr. Loomis	Mr. Van Dyck	
Mr. Hunter	Mr. Talimadge	Mr. Willes	
Mr. J. P. Jones	Mr. Tracy	Mr. Young	9

The bill from the Assembly, entitled "An act to appoint commissioners to lay out a road from Manheim Bridge to Cherry-Valley," with the engrossed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amend-

ments therewith delivered.

The bill from the Assembly, entitled "An act in relation to the Fort-Miller Bridge Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling	
Mr. Beckwith	Mr. Loomis	Mr. Tallmadge	
Mr. Downing	Mr. McLean	Mr. Tracy	
Mr. Huntington	Mr. Maison	Mr. Van Dyck	
Mr. Johnson	Mr. Paige	Mr. Wager	
Mr. H. F. Jones	Mr. Powers	Mr. Willes	
Mr. J. P. Jones	Mr. Seger	Mr. Works	
Mr. Lacy	Mr. Spraker	Mr. Young	24

The bill from the Assembly, entitled "An, act in relation to State loans," was read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers	
Mr. L. Beardsley	Mr. Lacy	Mr. Seger	
Mr. Downing	Mr. Lawyer	Mr. Sterling	
Mr. Hunter	Mr. McLean	Mr. Tallmadge Mr. Tracy	
Mr. Huntington	Mr. Mack	Mr. Tracy	
Mr. Johnson	Mr. Maison	Mr. Wager	
Mr. H. F. Jones	Mr. Paige	Mr. Works	21

FOR THE NEGATIVE.

Mr. Beckwith	Mr. Spraker	Mr. Willes	
Mr. Edwards	Mr. Van Dyck	Mr. Young	
Mr. Loomis	-	_	7

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

Then the Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M.—MAY 10, 1837.

The Senate met pursuant to adjournment.

Mr. Tallmadge presented the petition of Silas M. Stilwell and others, for a law extending the time for the redemption of lands under foreclosures of mortgages; which was read, and referred to the committee on the judiciary.

Mr. Edwards, from the committee on the judiciary, reported without amendment, the bill entitled "An act relative to the court of common pleas for the city and county of New-York;" which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Tracy, from the committee on claims, reported without amendment, the bill from the Assembly, entitled "An act for the relief of John I. Campbell:" which was committed to a committee of the whole.

I. Campbell;" which was committed to a committee of the whole.

Mr. Maison, from the committee on the judiciary, reported without amendment, the bill from the Assembly, entitled "An act to confirm the official acts of John Aldrich, as commissioner of deeds of the town of Ridgeway;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Mack, from the committee on rail-roads, reported without amendment, the bill from the Assembly, entitled "An act to revive the act entitled 'An act to provide for the construction of a rail-road from Herkimer to Trenton;'" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Loomis, from the committee on manufactures, reported with amendments, the bill from the Assembly, entitled "An act to incorporate the Ulster Cotton and Woollen Manufacturing Company;" which was agreed to by the Senate, the amendments ordered to be engrossed, and

the bill to a third reading.

Mr. Powers, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act to authorize the compact part of the city of Hudson to borrow money for the purposes therein mentioned;" which was agreed to by the Senate, the amendments ordered to be engressed, and the bill to a third reading.

Mr. Mack, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Burlington-Flatts Aqueduct Association;" which was agreed to by the Senate, and

the bill ordered to a third reading.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act to incorporate the Canajoharie and Sharon Turnpike Company."

Also the bill, entitled "An act regulating costs in proceedings to recover damages for the use and occupation of lands after judgment in ejectment."

Also the bill, entitled "An act authorizing the Utica and Schenec-

tady Rail-Road Company to carry extra baggage."

Also the bill, entitled "An act respecting the State arsenal in the

city of New-York."

Also the bill, entitled "An act relative to the circuit courts and courts of oyer and terminer in and for the counties of Schenectady and Schoharie."

W. L. MARCY.

Albany, May 9, 1837.

The bill entitled "An act to amend the act entitled 'An act to provide for the building of a new court-house in the county of Chenango," was received from the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

Mr. Maison presented copies of schedules A and C, referred to in the testimony in the matter of the investigation of the conduct of the Hon.

Samuel Young, in relation to the purchase of certain stock.

Thereupon,

On motion of Mr. Maison,

Resolved, That the said schedules be printed with the reports and testimony.

[See Senate Document No. 66.]

Mr. President put the question on the final passage of the engroused bill, entitled "An act to authorize county judges to inspect turnpike roads, and to fix the location of gates thereon," and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Powers
Mr. L. Beardsley	Mr. Loomis	Mr. Seger
Mr. Edwards	Mr. McLean	Mr. Spraker
Mr. Hunter	Mr. Mack	Mr. Tallmadge
Mr. Huntington	Mr. Maison	Mr. Wager
Mr Johnson	Mr. Paige	. 5

FOR THE NEGATIVE.

Mr. Beckwith	Mr. Lawyer	Mr. Willes	
Mr. Downing	Mr. Sterling	Mr. Works	
Mr. J. P. Jones	Mr. Tracy	Mr. Young	
Mr. Lacy	Mr. Van Dyck	J	11

The engrossed bill, entitled "An act relative to the village of Monticello, in Sullivan county," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer.	Mr. Spraker
Mr. Beckwith	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tallmadge
Mr. Edwards	Mr. McLean	Mr. Tracy
Mr. Hunter	Mr. Mack	Mr. Van Dyck
Mr. Huntington	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Works
Mr. H. F. Jones	Mr. Powers	Mr. Young
Mr. J. P. Jones		•

The engrossed bill, entitled "An act for the relief of John Jackson and others," was read the third time and passed.

The engrossed bill, entitled "An act to amend an act entitled 'An act to incorporate the New-York Statistical Society,' passed May 25, 1836," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

28

17

FOR THE APPIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Sterling
Mr. L. Beardsley	Mr. Lawyer	Mr. Tallmadge
Mr. Beckwith	Mr. Livingston	Mr. Tracy
Mr. Downing	Mr. Loomis	Mr. Van Dyck
Mr. Edwards	Mr. McLean	Mr. Wager
Mr. Hunter	Mr. Mack	Mr. Willes
Mr. Huntington	Mr. Maison	Mr. Works
Mr. H. F. Jones	Mr. Paige	Mr. Young
Mr. J. P. Jones	Mr. Spraker	

The engreesed bill, entitled "An act incorporating the Repositors of the American Institute," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE APPIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Beckwith	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Van Dyck
Mr. Hunter	Mr. Mack	Mr. Wager
Mr. Huntington	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Paige	Mr. Works
Mr. H. F. Jones	Mr. Powers	Mr. Young `
Mr T D Tones	Mr Seger	. •

The engrossed bill, entitled "An act relating to the Albany basin," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Downing	Mr. Livingston	Mr. Sterling
Mr. Edwards	Mr. Loomis	Mr. Tracy
Mr. Hunter	Mr. McLean	Mr. Van Dyck
Mr. Huntington	Mr. Mack	Mr. Wager
Mr. Johnson	Mr. Maison	Mr. Willes
Mr. H. F. Jones	Mr. Paige	Mr. Works
Mr. J. P. Jones	Mr. Powers	

FOR THE NEGATIVE.

26

FUR THE REGALIVE

Ordered, That the clerk deliver said bills to the Assembly, and request their concurrence to the same.

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Mr. Young

The bill from the Assembly, entitled "An act appointing commissioners to lay out and open a public highway from the east line of the town of Watson in the county of Lewis, to Moriah in the county of Essex," with the engrossed amendments, was read the third time and

passed.

The bill from the Assembly, entitled "An act to authorize the compact part of the city of Hudson, to borrow money for the purposes therein mentioned," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. L. Beardsley	Mr. Lacy	Mr. Seger
Mr. Beckwith	Mr. Lawyer	Mr. Spraker
Mr. Downing	Mr. Livingston	Mr. Sterling
Mr. Edwards	Mr. McLean	Mr. Tallmadge
Mr. Hunter	Mr. Mack	Mr. Van Dyck
Mr. Huntington	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Works

Mr. H. F. Jones

FOR THE NEGATIVE.

Mr. Tracy Mr. Willes Mr. Young '8

.The bill from the Assembly, entitled "An act to divide the town of Erwin, in the county of Steuben," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act to extend the charter of the Nichols and Tioga Bridge Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy .	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Beckwith	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tallmadge
Mr. Edwards	Mr. McLean	3.6 cm *
Mr. Hunter	Mr. Mack	Mr. Van Dyck
Mr. Huntington	Mr. Maison	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Willes
Mr. H. F. Jones	Mr. Powers	Mr. Works
Mr. J. P. Jones		

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

28

25

The bill from the Assembly, entitled "An act to incorporate the Selfabury and Little-Falls McAdam Read Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker	
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling	
Mr. Beckwith	Mr. Livingston	Mr. Tallmadge	
Mr. Downing	Mr. Loomis	Mr. Tracy	
Mr. Edwards	Mr. McLean	Mr. Van Dyck	
Mr. Hunter	Mr. Mack	Mr. Wager	
Mr. Huntington	Mr. Maison	Mr. Willes	
Mr. H. F. Jones	Mr. Paige	Mr. Works	
Mr. J. P. Jones	Mr. Powers	Mr. Young	27

The bill from the Assembly, entitled "An act to incorporate the Burlington-Flatts Aqueduct Association," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling
Mr. L. Beardsley	Mr. Loomis	Mr. Tallmadge
Mr. Beckwith	Mr. McLean	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. H. F. Jones	Mr. Powers	Mr. Works
Mr. J. P. Jones	Mr. Spraker	Mr. Young
Mr Lacy	-	

The bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the city of Buffalo,'" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardeley	Mr. Lawyer	Mr. Sterling
Mr. Beckwith	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. H. F. Josses	Mr. Seger	Mr. Young
Mr. J. P. Jones		

25

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Manheim and Salisbury Rail-Road Company,' passed May 24, 1836,'" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Sterling
Mr. L. Beardsley	Mr. Lawyer	Mr. Tallmadge
Mr. Beckwith	Mr. McLean	Mr. Tracy
Mr. Downing	Mr. Mack	Mr. Van Dyck
Mr. Edwards	Mr. Maison	Mr. Wager
Mr. Hunter	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. H. F. Jones	Mr. Seger	Mr. Young
Mr I D Tones	Mr Spraker	

The bill from the Assembly, entitled "An act to amend an act to incorporate the Mayville and Portland Rail-Road Company, passed March 29, 1832," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

26

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Beckwith	Mr. McLean	Mr. Tallmadge
Mr. Downing	Mr. Mack	Mr. Tracy
Mr. Hunter	Mr. Maison	Mr. Van Dyck
Mr. Huntington	Mr. Paige	Mr. Wager
Mr. Johnson	Mr. Powers	Mr. Willes
Mr. H. F. Jones	Mr. Seger	Mr. Works
Mr. Lacy	-	

FOR THE NEGATIVE.

Mr. Young

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to incorporate the Kingston Turnpike and Rail-Road Company,' passed April 23, 1835," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Beckwith	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. McLean	Mr. Tallmadge

Mr. Hunter	Mr. Mack	Mr. Tracy	24
Mr. Johnson	Mr. Maison	Mr. Van Dyck	
Mr. H. F. Jones	Mr. Paige	Mr. Wager	
Mr. J. P. Jones	Mr. Powers	Mr. Willes	
Mr. J. P. Jones	Mr. Powers	Mr. Willes	24

FOR THE NEGATIVE.

Mr. Young

1

The bill from the Assembly, entitled "An act to authorize the corporation of the city of Albany, to borrow money for the purposes therein mentioned," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

. Lacy Mr	. Powers
	. Seger
	. Spraker
	. Sterling
	. Tallmadge
. Mack Mr.	. Van Dyck
. Maison Mr	. Wager
. Paige Mr	. Works
•	25
	. Lawyer Mr . Livingston Mr . Loomis Mr . McLean Mr . Mack Mr . Maison Mr

FOR THE NEGATIVE.

Mr. T	racy	Mr.	Willes	Mr.	Young	3
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Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to repeal the charter of the Oneida Bank;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Loomis, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act to repeal the charter of the Sackett's-Harbor Bank;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Loomis, from the said committee, reported that they had agreed to the same without amendment.

Thereupon, Mr. Sterling moved to strike out the fifth section, and to insert the

following:

§ 5. This act shall take effect in ninety days, unless within that time the directors of said bank shall have elected a new president and cashier, and shall also have given evidence satisfactory to one or more of the bank commissioners, that the directors, or a majority of them, were innocent of any intentional violation of the laws regulating the banks of this state, in which case this act is not to take effect, but to be wholly void.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Beckwith	Mr. Livingston	Mr. Spraker	
Mr. Edwards	Mr. Loomis	Mr. Tracy	
Mr. Hunter	Mr. McLean	Mr. Van Dyck	
Mr. Johnson	Mr. Maison	Mr. Willes	
Mr. Lacy	Mr. Powers	Mr. Works	
Mr. Lawyer	Mr. Seger	Mr. Young	8

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Sterling	
Mr. L. Beardsley	Mr. Mack	Mr. Tallmadge	
Mr. Downing	Mr. Paige	Mr. Wager	9

Mr. President put the question on agreeing to the said report, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Beckwith	Mr. Livingston	Mr. Spraker	
Mr. Edwards	Mr. Loomis	Mr. Tr acy	
Mr. Hunter	Mr. McLean	Mr. Van Dyck	
Mr. Johnson	Mr. Maison	Mr. Willes	
Mr. Lacy	Mr. Powers	Mr. Works	
Mr. Lawyer	Mr. Seger	Mr. Young	18

FOR THE NEGATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Sterling	
Mr. L. Beardaley	Mr. Mack	Mr. Tallmadge	
Mr. Downing	Mr. Paige	Mr. Wager	9

Thereupon,
The bill was ordered to a third reading.

Then the Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M.-MAY 11, 1837.

The Senate met pursuant to adjournment.

Mr. Willes, from the committee on roads and bridges, to whom was referred the petition of sundry inhabitants of Chenango county, brought in a bill, entitled "An act to incorporate the Smithville and Willet Turnpike Road Company;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Livingston presented the memorial of the New-York and Erie Rail-Road Company, praying for an amendment to the act to expedite the construction of said road, passed April 23, 1836; which was read,

and referred to the committee on rail-roads.

A bill was received from the Assembly for concurrence, entitled "An act concerning the sale of real estate by mortgage;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Five several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to provide for the construction of a rail-road from Coxsackie to Schenectady:"

"An act to provide for the construction of a rail-road from Rochester

to Lockport:"

"An act to provide for the construction of a rail-road from Trenton to Sackett's-Harbor:"

"An act to provide for the construction of the Genesee and Catta-

raugus rail-road :"

"An act to provide for the construction of the Erie and Cattaraugus rail-road:"

Which were read the first time, and by unanimous consent were also

read a second time, and referred to the committee on rail-roads.

A bill was received from the Assembly for concurrence, entitled "An act to subject monied or stock corporations to assessment of highway labor;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to amend the charter of the village of Ogdensburgh, relative to highway assessments;" which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

The bill entitled "An act to incorporate the Great Au Sable Rail-Road Company," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Resolved, That the Senate do concur with the Assembly in their said amendments to the said bill; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE APPIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Sterling
Mr. L. Beardsley	Mr. Lawyer	Mr. Tallmadge
Mr. Beckwith	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Hunter	Mr. Mack	Mr. Wager
Mr. Huntington	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. H. F. Jones	Mr. Spraker	

Ordered, That the clerk deliver said bill, and a copy of said resolu-

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tion to the Assembly.

The bill entitled "An act to erect the town of Greenport, in the county of Columbia," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Resolved, 'That the Senate do concur with the Assembly in their said amendments to the said bill; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker	
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling	
Mr. Beckwith	Mr. Loomis	Mr. Tallmadge	
Mr. Downing	Mr. McLean	Mr. Tracy	
Mr. Hunter	Mr. Mack	Mr. Van Dyck	
Mr. Huntington	Mr. Maison	Mr. Wager	
Mr. Johnson	Mr. Paige	Mr. Willes	
Mr. H. F. Jones	Mr. Powers	Mr. Works	24

Ordered, That the clerk deliver said bill and a copy of said resolu-

tion to the Assembly.

The bill entitled "An act to amend the charter of the village of Sing-Sing," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Resolved, That the Senate do concur in the amendment to strike out, and that they non-concur in the amendment to insert; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Beckwith	Mr. Livingston	Mr, Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Van Dyck

Mr. Mack Mr. Hunter. Mr. Wa Mr. Maison Mr. Willes Mr. Huntington Mr. Johnson Mr. Paige Mr. Works Mr. H. F. Jones Mr. Powers Mr. Young

Mr. J. P. Jones

Ordered; That the clerk deliver said bill, and a copy of said resolu-

tion to the Assembly:

The bill entitled "An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courter" was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Ordered, That the said bill and amendments be referred to the com-

mittee on the judiciary.

Two several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act relative to the Mohawk and Hudson Rail-Road Company:" "An act to authorize a grant of lands under water in the city of

Hudson :3

Which were presented to his excellency the Governor by the clerk:

Four several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to wit:

"An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed March 5, 1819:"

"An act to incorporate the Geneseo Hydraulic Company:"

"An act to divide the town of Erwin, in the county of Steuben:"

"An act to extend the charter of the Nichols and Tioga Bridge Company:"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

Mr. Tallmadge gave notice that he would hereafter ask leave to introduce a bill, entitled "An act to amend title fifth, chapter sixth, part third of the Revised Statutes, relative to the sale and redemption of real estate under execution."

The engressed bill, entitled "An act relative to the court of common pleas of the city and county of New-York," was read the third time

The engressed bill, entitled "An act in addition to the act entitled-An act to compel voluntary associations to furnish to the public the names of their members,' passed May 20, 1836," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and

request their concurrence to the same.

The bill from the Assembly, entitled "An act to revive the act entitled 'An act to provide for the construction of a rail-road from Herkimer to Trenton,'" was read the third time and passed; two-thirds of

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all the members elected to the Senate voting in favor thereof, as follows, b vi:

FOR THE APPIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling
Mr. L. Beardaley	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Hunter	Mr. Mack	Mr. Van Dyck
Mr. Huntington	Mr. Paige	Mr. Wager
Mr. Johnson	Mr. Powers	Mr. Willes
Mr. H. P. Jenes	Mr. Seger	Mr. Works
Mr. Lacy		

FOR THE MEGATIVE.

Mr. Young

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22

The bill from the Assembly, entitled "An act to confirm the official acts of John Aldrich, as commissioner of deeds of the town of Ridgeway," was read the third time and passed.

The bill from the Assembly, entitled "An act to repeal the charter of the Sackett's-Harbor Bank," was read the third time.

Mr. Sterling made a motion that said bill be laid on the table, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Powers	
Mr. L. Beardeley	Mr. Lacy	Mr. Spraker	
Mr. Beckwith	Mr. Lawyer	Mr. Tracy	
Mr. Edwards	Mr. Loomis	Mr. Van Dyck	
Mr. Hunter	Mr. McLean	Mr. Willes	
Mr. Johnson	Mr. Maison	Mr. Young	18

FOR THE AFFIRMATIVE.

Mr. Downing Mr. Huntington	Mr. Mack Mr. Paige	Mr. Tallmadge Mr. Wager	
Mr. J. P. Jones	Mr. Seger	Mr. Works	
Mr. Livingston	Mr. Sterling		13

Mr. President put the question on the final passage of the said bill, and it was decided in the affirmative.

yeas and nays being moved and seconded, were as follows,

POR THE APPIRMATIVE.

Mr. Beckwith	Mr. Lawyer	Mr. Spraker
Mr. Edwards	Mr. Livingston	Mr. Tracy Mr. Van Dyck
Mr. Hunter	Mr. Loomis	Mr. Van Dyck
Mr. Huntington	Mr. McLean	Mr. Willes
Mr. Johnson	Mr. Maison	Mr. Works
Mr. H. F. Jones	Mr. Powers	Mr. Young
Mr. Lacy	Mr. Seger	

FOR THE NEGATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Sterling	
Mr. L. Beardsley	Mr. Mack	Mr. Tallmadge	
Mr. Downing	Mr. Paige	Mr. Wager	9

The bill from the Assembly, entitled "An act to incorporate the Rossie Lead Mining Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Tallmadge
Mr. L. Beardsley	Mr. Lawyer	Mr. Tracy
Mr. Beckwith	Mr. Loomis	Mr. Van Dyck
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Maison	Mr. Willes
Mr. Hunter	Mr. Paige	Mr. Works
Mr. Huntington	Mr. Seger	Mr. Young
Mr. H. F. Jones	Mr. Sterling	

The bill from the Assembly, entitled "An act to incorporate the Rossie Galena Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling
Mr. L. Beardeley	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Van Dyck
Mr. Hunter	Mr. Mack	Mr. Wager
Mr. Huntington	Mr. Maison	Mr. Willes
Mr. H. F. Jones	Mr. Paige	Mr. Works
Mr. J. P. Jones	Mr. Seger	Mr. Young
Mr. I new	121.10-201	-

The bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the village of Fredonia,'" was read the

all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling
Mr. L. Beardsley	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Hunter	Mr. Mack	Mr. Van Dyck
Mr. Huntington	Mr. Paige	Mr. Wager
Mr. Johnson	Mr. Powers	Mr. Willes
Mr. H. F. Jones	Mr. Seger	Mr. Works

POR THE NEGATIVE.

Mr. Young

Mr. Lacy

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22

The bill from the Assembly, entitled "An act to confirm the official acts of John Aldrich, as commissioner of deeds of the town of Ridgeway," was read the third time and passed.

The bill from the Assembly, entitled "An act to repeal the charter of the Sackett's-Harbor Bank," was read the third time.

Mr. Sterling made a motion that said bill be laid on the table, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

POR THE NEGATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Powers	
Mr. L. Beardeley	Mr. Lacy	Mr. Spraker	
Mr. Beckwith	Mr. Lawyer	Mr. Tracy	
Mr. Edwards	Mr. Loomis	Mr. Van Dyck	
Mr. Hunter	Mr. McLean	Mr. Willes	
Mr. Johnson	Mr. Maison	Mr. Young	18

FOR THE APPLEMATIVE.

Mr. Downing	Mr. Mack	Mr. Tallmadge	
Mr. Huntington	Mr. Paige	Mr. Wager	
Mr. J. P. Jones	Mr. Seger	Mr. Works	
Mr. Livingston	Mr. Sterling		11

Mr. President put the question on the final passage of the said bill, and it was decided in the affirmative.

The year and nays being moved and seconded, were as follows, to wit:

POR THE APPIRMATIVE.

Mr. Beckwith	Mr. Lawyer	Mr. Spraker
Mr. Edwards	Mr. Livingston	Mr. Tracv
Mr. Hunter	Mr. Loomis	Mr. Tracy Mr. Van Dyck
Mr. Huntington	Mr. McLean	Mr. Willes
Mr. Johnson	Mr. Majeon	Mr. Works
Mr. H. F. Jones	Mr. Powers	Mr. Young
Mr. Lacy	Mr. Seger	

FOR THE NEGATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Sterling	
Mr. L. Beardsley	Mr. Mack	Mr. Tailmadge	
Mr. Downing	Mr. Paige	Mr. Wager	9

The bill from the Assembly, entitled "An act to incorporate the Rossie Lead Mining Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Tallmadge
Mr. L. Beardsley	Mr. Lawyer	Mr. Tracy
Mr. Beckwith	Mr. Loomis	Mr. Van Dyck
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Maison	Mr. Willes
Mr. Hunter	Mr. Paige	Mr. Works
Mr. Huntington	Mr. Seger	Mr. Young
Mr H F Iones	Mr Sterling	

The bill from the Assembly, entitled "An act to incorporate the Rossie Galena Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

23

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling
Mr. L. Beardeley	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Van Dyck
Mr. Hunter	Mr. Mack	Mr. Wager
Mr. Huntington	Mr. Maison	Mr. Willes
Mr. H. F. Jones	Mr. Paige	Mr. Works
Mr. J. P. Jones	Mr. Seger	Mr. Young
Mr Lacy	2210-800	

The bill from the Assembly, entitled "An act to amend the act entitled 'An act to incorporate the village of Fredonia,'" was read the

third time and passed; **we*thirds of all the numbers elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Sterling
Mr. L. Beardeley	Mr. Lawyer	Mr. Tallmadge
Mr. Beckwith	Mr. Livingsten	Mr. Tracy
Mr. Downing		Mr. Van Dyck
Mr. Edwards	Mr. McLean	Mr. Wager
Mr. Huntington	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Paige	Mr. Works
Mr. H. F. Jenes	Mr. Seger	•

The bill from the Assembly, entitled "An act to amend the act entitled 'An act to annex a part of the town of Ovid to the town of Lodi, in the county of Seneca,' passed May 5, 1887," was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

The bill from the Assembly, entitled "An act to incorporate the Ulster Cotton and Woollen Manufacturing Company," with the engressed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

TOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Seger	
Mr. L. Beardslay	Mr. Lacy	Mr. Sterling	
Mr. Beckwith	Mr. Lawyer	Mr. Tallmadge	
Mr. Downing	Mr. Loomis	Mr. Tracy	
Mr. Hunter	Mr. McLean	Mr. Van Dyck	
Mr. Huntington	Mr. Mack	Mr. Wager	
Mr. Johnson	Mr. Paige	Mr. Willes	
Mr. H. F. Jones	Mr. Powers	Mr. Works	24

The bill from the Assembly, entitled "An act to incorporate the village of Dunkirk," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Powers
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Seger
Mr. Beckwith	Mr. Lacy	Mr. Sterling
Mr. Downing	Mr. Livingston	Mr. Tallmadge
Mr. Edwards	Mr. Loomis	Mr. Tracy
Mr. Hunter	Mr. McLean	Mr. Wager
Mr. Huntington	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Paige	Mr. Young

The bill from the Assembly, entitled "Annet to incorporate the West-Carthage Iron and Lead Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

班r. Armstrong	'Mr. J. P. Jones	Mr. Seger	
Mr. L. Beardsley	Mr. Lacy	Mr. Sterling	
Mr. Beckwith	Mr. Lawyer	Mr. Tallmadge	
Mr. Downing	Mr. Livingston	Mr. Tracy	
Mr. Hunter	Mr. Loomis	Mr. Wager	
Mr. Huntington	Mr. McLean	Mr. Willes	
Mr. Johnson	Mr. Maison	Mr. Works	
Mr. H. F. Jones	Mr. Paige		23

FOR THE NEGATIVE.

Mr. Young

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Ordered. That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill from the Assembly, entitled "An act to enlarge the powers of towns in certain cases," was read the third time and lost.

Thereupon,

Resolved, That the said bill be rejected.

Ordered, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to repeal the charter of the Oneida Bank; and after some time spent thereon, Mr. President resumed the chair, and Mr. Loomis, from the said committee, reported that they had reject-

ed the first section of the said bill. Mr. President put the question on agreeing to the said report, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Paige
Mr. J. Beardsley	Mr. Lawyer	Mr. Seger
Mr. L. Beardsley	Mr. Livinguton	Mr. Spraker
Mr. Downing	Mr. McLean	Mr. Sterling
Mr. Huntington	Mr. Mack	Mr. Tallmadge
Mr. Johnson	Mr. Maison	Mr. Wager
Mr. H. F. Jones		•

FOR THE NEGATIVE

Mr. Beckwith Mr. Loomis Mr. Willes
Mr. Edwards Mr. Tracy Mr. Works
Mr. Hunter Mr. Van Dyck Mr. Young

Mr. Lacy

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13

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act in relation to the canals;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Downing, from the said committee, reported the same with amendments; which was agreed to by the Senate, and the bill ordered to be engressed for a third reading.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act amending the act regulating the price to be paid for land taken for the enlargement of the Erie canal, passed April 3d, 1837;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Downing, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Edwards moved that the Senate resolve itself into a committee of the whole, on the bill from the Assembly, entitled "An act to amend the act entitled 'An act to improve the Seneca river,' passed May 12,

1836."

Mr. President put the question on agreeing to said metion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. L. Beardeley	Mr. Maison	Mr. Van Dyck
Mr. Downing	Mr. Paige	Mr. Wager
Mr. Johnson	Mr. Seger	Mr. Willes
Mr. H. F. Jones	Mr. Tracy	Mr. Young
Mr. Lawver	•	· ·

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. McLean	•
Mr. Edwards	Mr. Livingston	Mr. Tallmadge	
Mr. Hunter	Mr. Leomis	Mr. Works	9

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Keyes P. and Hyman J. Cool;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Van Dyck, from the said committee, reported the same with amendments.

Mr. President put the question on agreeing to the said report, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. Lacy	Mr. Van Dyck	
Mr. Beckwith	Mr. Lawyer	Mr. Willes	
Mr. Hunter	Mr. Loomis	Mr. Young	
Mr. Johnson	Mr. Tracv		11

FOR THE NEGATIVE.

Mr. Edwards Mr. Huntington Mr. H. F. Jones Mr. Livingston	Mr. McLean Mr. Mack Mr. Maison	•	Mr. Paige Mr. Sparker Mr. Works	10
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Thereupon,

Mr. McLean moved that said bill be ordered to a third reading.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. Livingston		Mr. Paige	•
Mr. Downing	Mr. McLean		Mr. Spraker	
Mr. Edwards	Mr. Mack	,	Mr. Wager	
Mr. Huntington	Mr. Maison		Mr. Works	
Mr. H. F. Jones	•			13.

FOR THE NEGATIVE

Mr. Beckwith	Mr. Lawyer	Mr. Van Dyck	
Mr. Johnson	Mr. Loomis	Mr. Willes	
Mr. Lacy	Mr. Tracy	Mr. Young	9

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of the Cohoes Company;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Van Byck, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engressed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of the families of persons sentenced to any of the State prisons of the state of New-York, in certain cases;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Livingston, from the said committee, reported the same without amendment; which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Armstrong, from the committee on banks and insurance companies, brought in a bill, entitled "An act suspending for a limited time certain provisions of law, and for other purposes;" which was read the

first time, and by unanimous concent was also send a second time, and committed to a committee of the whole.

Ordered, That the said bill be printed.

On motion of Mr. Wager,

to wit:

Resolved, That when the Senate adjourns, it adjourn to meet again at half-past three o'clock this afternoon.

Then the Senate adjourned until half-punt three o'clock, P. M.

HALF-PAST THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act suspending for a limited time certain provisions of law, and for other purposes;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Spraker, from the said committee, reported the same with amendments.

Thereupon,

The first section of the said report was read, in the words following,

§ 1. Every provision of law in force, requiring or authorizing proceedings against any bank in this state, with a view to forfeit its charter, or wind up it concerns, or to subject any individual stockholder to any personal liabilities for the debts of such bank, or which requires such bank to suspend its operations and proceedings, in consequence of a refusal to pay its notes or evidences of debt in specie, is hereby suspended for one year.

Mr. Tracy moved to amend the said section, by striking out the following words, in the third and fourth lines:

"Or to subject any individual stockholder to any personal liabilities for the debts of such bank."

Mr. President put the question on agreeing to said metion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Beckwith	Mr. Livingston	Mr. Van Dyck
Mr. Hunter	Mr. Loomis	Mr. Willes
Mr. Huntington	Mr. Tallmadge	Mr. Works
Mr. J. P. Jones	Mr. Tracy	Mr. Young
Mr. Lacy	Dir. Tracy	Mr. Young.

Mr. Armstrong	Mr. Lawyer	Mr. Powers
Mr. L. Beardsley	Mr. McLean	Mr. Spraker
Mr. Downing	Mr. Mack	Mr. Sterling
Mr. Edwards	Mr. Maison	Mr. Wager
M. U F Iones	Mr Daime	•

Mr. Loomis moved to amend said section, by striking cut of the last line "for one year," and inserting, "until the first day of February next."

Mr. President put the question on agreeing to said metion, and it was decided in the negative.

The year and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Powers
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Downing	Mr. Livingston	Mr. Sterling
Mr. Edwards	Mr. McLean	Mr. Tellmadge
Mr. Hunter	Mr. Mack	Mr. Tracy
Mr. Huntington	Mr. Maison	Mr. Wager
Mr. H. F. Jenes	Mr. Paige	Mr. Works
Mr. J. P. Jones	6	

FOR THE AFFIRMATIVE

Mr. Beckwith	Mr. Loomis	Mr. Willes	
Mr. Johnson	Mr. Van Dyck	Mr. Young	6

The second section of said report was then read, as follows, to wit:

§ 2. In any suit presecuted against any such corporation, or individual stockholder, within the period aforesaid, for non-payment of its debts in specie, no costs shall be recoverable by the party prosecuting. unless the plaintiff shall recover fifty dollars or upwards, and in such cases no costs shall be recovered beyond actual disbursements; and every issue of law or fact joined in such suit shall be brought to trial according to the same rules as apply to other issues joined in the said courts, notwithstanding the provisions of section eleven, of title four, chapter eight of the third part of the Revised Statutes; and the provisions of sections eight, nine and ten, of title four, chapter eight of the third part of the Revised Statutes, shall not be applicable to such suits.

Mr. Tracy moved to amend said section, by striking out of the third line the words "no costs shall be recoverable by the party prosecuting, unless," ecc. to the word and including "disbursements," for the purpose of inserting the following: "and costs shall be recoverable only in such cases as they are recoverable on judgments against individuals."

[SENATE JOURNAL.]

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The year and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong Mr. L. Beardsley	Mr. J. P. Jones Mr. Lawyer	Mr. Paige Mr. Powers	
Mr. Downing	Mr. McLean	Mr. Spraker	
Mr. Johnson	Mr. Mack	Mr. Sterling	
Mr. H. F. Jones	Mr. Maison	Mr. Wager	15

FOR THE AFFIRMATIVE.

Mr. Beckwith Mr. Edwards	Mr. Livingston Mr. Loomis	Mr. Van Dyck Mr. Will es	
Mr. Hunter	Mr. Tallmadge	Mr. Works	
Mr. Huntington Mr. Lacv	Mr. Tracy	Mr. Young	13

Mr. Maison moved to amend the said section, by inserting after the word "disbursements," in the fifth line, the words "nor interest beyond the rate of seven per cent per annum."

Mr. President put the question on agreeing to said motion, and it was

decided in the affirmative.

Mr. Lawyer

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. McLean	Mr. Spraker
Mr. Huntington	Mr. Mack	Mr. Sterling
Mr. Johnson	Mr. Maison	Mr. Tallmadge
Mr. H. F. Jones	Mr. Paige	Mr. Wager
Mr. J. P. Jones	Mr. Powers	Mr. Works

FOR THE NEGATIVE.

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Mr. L. Beardsley	Mr. Hunter	Mr. Tracy	
Mr. Beckwith	Mr. Lacy	Mr. Van Dyck	
Mr. Downing	Mr. Livingston	Mr. Willes	
Mr. Edwards	Mr. Loomis	Mr. Young	19

Mr. Loomis moved to amend the said section, by inserting after the word "disbursements," in the fifth line, the words following, to wit:

"And in any suit against any individual by any such corporation, for any demand due to such corporation, costs shall be recovered only to the same extent."

Mr. Mack then moved to amend the said amendment proposed by Mr. Loomis, by striking out the word "for," in the first line, and inserting the words, "brought within the period aforesaid for non-payment in specie of".

Mr. President put the question on agreeing to said motion, and it was

decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. Livingston	Mr. Sparker	
Mr. Beckwith	Mr. Loomis	Mr. Tallmadge	•
Mr. Downing	Mr. McLean	Mr. Tracy	
Mr. Johnson	Mr. Mack	Mr. Van Dyck	•
Mr. J. P. Jones	Mr. Paige	Mr. Willes	
Mr. Lacy	Mr. Powers	Mr. Young	
Mr. Lawyer			19

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Huntington	Mr. Sterling	
Mr. Edwards	Mr. H. F. Jones	Mr. Wager	
Mr. Hunter	Mr. Maison	•	8

Mr. President then put the question on the amendment offered Mr. Loomis and amended by inserting the amendment of Mr. Mack, and it was decided in the negative.

The year and nays being moved and seconded, were as follows,

to wit:

FOR THE AFFIRMATIVE.

Mr. Beckwith	Mr. Lacy	Mr. Van Dyck	•.
Mr. Edwards	Mr. Livingston	Mr. Willes	
Mr. Huntington	Mr. Loomis	Mr. Works	
Mr. Johnson	Mr. Tallmadge	Mr. Young	
Mr. J. P. Jones	Mr. Tracy		14

POR THE NEGATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Powers
Mr. L. Beardsley	Mr. McLean	Mr. Spraker
Mr. Downing	Mr. Mack	Mr. Sterling
Mr. Hunter	Mr. Maison	Mr. Wager
Mr. H. F. Jones	Mr. Paige	•

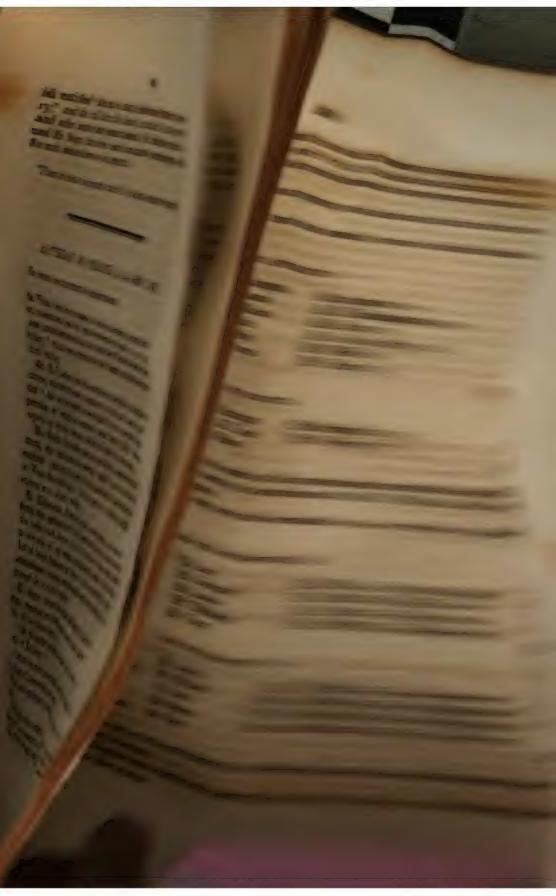
The yeas and nays being equally divided, Mr. President gave the

casting vote in the negative.

Mr. Young then moved to amend the said report, by adding thereto

the three following sections:

the President put the question Committee of the second Mr. President put was decided in the aff The year and may need a The year and may DO GE. to wit: Mr. Armstrong Mr. L. Beardsley Mr. Downing Mr. Hunter Mr. Johnson Mr. Edwards Mr. Huntington Mr. Lacy Mr. Livingston The Senate then ag on the bill from the An for the purpose of hand President resumed the reported that the come de the of each per call per Mr. President part the pr dended to the Library Mr. President put t was decided in the aff The year and maps in The yeas and nay to wit: Mr. Armstrong Mr. L. Beardsley Mr. Downing Mr. Hunter LIFION Mr. Huntington LOWINE Mr. Johnson OR THE MUCHTIFF Mr. Edwards St. Lice Mr. Lacy Mr. Livingston In Lawrence and a would play send and Thereupor Resolved, T tion to the A The Sens



46. All the purchisms of the act estitled "An act to probable the utreviation of small bills," passed March 31, 1835, and the act entitled "An act to amend the act entitled 'An act to prohibit the circulation of small bills,' passed April 24, 1835," shall be and the same are hereby entended to all bills of a less denomination than twenty dellars, in the following manner, to wit:

5 7. No bill of a less denomination than ten dollars shall be offered or received in payment by any individual or body corporate or politic, or in any manner put in circulation within this state, after the first day of

January, one thousand eight hundred and thirty-eight.

§ 8. No bill of a less denomination than twenty dollars shall be offered or received he payment by any individual or body corporate or politic, or in any manner put in circulation within this state, after the first day of January, one thousand eight hundred and thirty-nine.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The year and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Powers
Mr. L. Beardslev	Mr. Lawyer	Mr. Spraker
Mr. Downing	Mr. Livingston	Mr. Sterling
Mr. Edwards	Mr. McLean	Mr. Tallmadge
Mr. Hunter	Mr. Mack	Mr. Tracy
Mr. Huntington	Mr. Maison	Mr. Wager
Mr. H. F. Jones Mr. J. P. Jones	Mr. Peige	Mr. Wager Mr. Works
Mr. J. P. Jones		

FOR THE AFFIRMATIVE.

22

Mr. Beckwith	Mr. Van Dyck	Mr. Young	
Mr. Loomis	Mr. Willes		. 8

The said report as amended was then read in the words following, to wit:

An Act suspending for a limited time certain provisions of law, and for other purposes.

The People of the State of New-York, represented in Sengte and Assembly, do enact as follows:

1. Every provision of law in force, requiring or authorizing proceedings against any bank in this state, with a view to forfeit its charter, or wind up it concerns, or to subject any individual stockholder to any permutal liabilities for the debte of such bank, or which requires such bank to suspend its operations and proceedings, in consequence of a refusal to pay its notat up evidences of debt in specie, is hereby suspended for one year.

4 2. In any suit presected against any such corporation, or individual. stockholder, within the period aforesaid, for non-payment of its debte in specie, no costs shall be recoverable by the party prosecuting, unless the plaintiff shall recover flaty dollars or upwards, and in such cases no costs shall be recovered beyond actual disbursements, nor interest beyond the rate of seven per cent per anyum; and every issue of law or fact joined in such suit, shall be brought to trial according to the same rules as anply to other issues joined in the said courts, notwithstanding the provisions of section eleven, of title four, chapter eight, of the third part of the Revised Statutes; and the provisions of sections eight, nine and ten, of title four, chapter eight, of the third part of the Revised Statutes,

shall not be applicable to such suits.

§ 3. The amount of notes or bills issued and in circulation of the several banks of this state, shall not hereafter exceed the following amounts respectively: Those having capitals to the amount of one hundred thousand dollars, a circulation of one hundred and fifty thousand dollars; those having capitals to the amount of one hundred and twenty thousand dollars, one hundred and sixty thousand dollars; those having capitals to the amount of one hundred and fifty thousand dollars, one hundred and seventy-five thousand dollars; those having capitals to the amount of two hundred thousand dollars, two hundred thousand dollars; those having capitals to the amount of two hundred and fifty thousand dollars, two hundred and twenty-five thousand dollars; those having capitals to the amount of three hundred thousand dellars, two hundred and fifty thousand dollars; those having capitals to the amount of four hundred thousand deliars, three hundred thousand dollars; these having capitals to the amount of five hundred thousand dollars, three hundred and fifty thousand dollars; those having capitals to the amount of six hundred thousand dollars, four hundred and fifty thousand dollars; those having capitals to the amount of seven hundred thousand dollars, five hundred thousand dollars; those having capitals to the amount of one million dollars, eight hundred thousand dollars; those having capitals to the amount of one million four hundred and ninety thousand dollars, one million dollars; those having capitals to the amount of two million dollars, one million two hundred thousand dol-

§ 4. This act shall not take effect in favor of any bank not subject to the act, entitled "An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes," passed April 2, 1829, unless such bank shall signify its assent to the provisions of this act, and the provisions of the act last above mentioned and referred to, so far as regards the visitation of the bank commissioners to ascertain the extent of their issues; nor unless such bank shall assent that the legislature may hereafter modify or repeal the act incorporating such bank, or any acts in amendment thereof; which said assent shall be given within ten days, by an agreement under its corporate seal, to be deposited with the secretary of state.

§ 5. Notwithstanding the provisions in this act contained, it shall be and is, the duty of the bank commissioners to take prompt and efficient steps according to the law now in force, to forfeit the charter and wind up the concerns of any bank which they shall find to be in dangerous or insolvent circumstances.

§ 6. This act shall take effect immediately, and shall continue in force for one year, excepting the third and fourth sections thereof.

Mr. President put the question on agreeing to the said report, and it was decided in the affirmative.

The yeas and mays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. L. Beardsley	Mr. J. P. Jones Mr. Lacy	Mr. Paige Mr. Powers	
Mr. Downing	Mr. Lawyer	Mr. Spraker	
Mr. Edwards	Mr. Livingston	Mr. Sterling	
Mr. Hunter	Mr. McLean	Mr. Tallmadge	
Mr. Huntington	Mr. Mack	Mr. Wager	
Mr. H. F. Jones	Mr. Maison	Mr. Works	21

POR THE NEGATIVE.

Mr. Beckwith	Mr. Tracy	Mr. Willes	
Mr. Loomis	Mr. Van Dyck	Mr. Young	6

Ordered, That said bill be engrossed for a third reading.

Then the Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M.—MAY 12, 1837.

The Senate met pursuant to adjournment.

Mr. Downing presented two several petitions of sundry citizens of Brooklyn, in favor of the banks in that city suspending specie payments; which were read, and laid on the table.

Mr. Van Dyck presented the petition of the vestry of St. David's church in the town of Hamptonburgh, for leave to convey a certain lot of land; which was read, and referred to the committee on charitable and religious societies.

Mr. Edwards, from the committee on the judiciary, to whom was referred the amendments of the Assembly to the bill, entitled "An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts," reported in favor of some and against others of said amendments.

Thereupon,

Resolved, That the Senate concur and non-concur in said amendments, as are designated in the margin thereof.

Ordered, That the clerk deliver said bill, and a copy of said resolu-

tion to the Assembly.

Mr. L. Beardley, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act concerning the sale of real estate by mortgage;" which was committed to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, reported without amendment, the bill from the Assembly, entitled "An act to subject monied or stock corporations to assessment of highway labor;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Mack, from the committee on rail-roads, reported without amendment, five several bills from the Assembly, of the following titles, to

wit:

"An act to provide for the construction of a rail-road from Rochester to Lockport:"

"An act to provide for the construction of a rail-road from Trenton

to Sackett's-Harbor:"

"An act to provide for the construction of the Erie and Cattaraugus

rail-road:"

"An act to provide for the construction of the Genesee and Cattaran-

gus rail-road:"

"An act to provide for the construction of a rail-road from Coxeackie

to Schenectady:"
Which was agreed to by the Senate, and the bills ordered to a third

reading.

Mr. Edwards, from the committee on the judiciary, to whom was referred the petition of William A. Thompson and Maria his wife, for a law authorizing Maria Thompson to bequeath certain real estate, &c. reported against the prayer of the said petitioners; which was agreed to by the Senate.

A bill was received from the Assembly for concurrence, entitled "An act to repeal the charter of the Lockport Bank;" which was read the first time, and by unanimous consent was also read a second time, and

ordered to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Clinton Lumber and Iron Association;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Steele Creek Turnpike Company;" which was read the first time, and by unanimous consent was also read a second

time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the construction of a rail-road from the village of Cooperstown, Otsego county, to intersect the Cherry-Valley and Susquehannah rail-road;" which was read the first time, and by unani-

mous consent was also read a second time, and referred to the committee on rail-roads.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of the new South Dutch church on Washington square in the city of New-York;" which was read the first time, and by unamimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act to amend the Revised Statutes, in relation to the appointment of commissioners of deeds in the respective towns in this state;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Three several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act authorizing the comptroller to lown money to the city of Buf-

falo:"

"An act to incorporate the Auburn Hydraulic Company:"

"An act to amend an act entitled 'An act to incorporate the Florida and Duanesburgh Turnpike Road Company,' passed May 25, 1836:"
Which were presented to his excellency the Governor by the clerk.

The bill entitled "An act to provide for the construction of a rail-road from Rome in the county of Oneida, to Port-Ontario in the county of Oswego," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Resolved, That the Senate do cencur with the Assembly in their said amendments to the said bill; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling
Mr. L. Beardsley	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Van Dyck
Mr. Hunter	Mr. Mack	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. H. F. Jones	Mr. Seger	Mr. Young
Mr. Lacy	_	

The bill entitled "An act to amend the act entitled 'An act to incorporate the North-Hempstead and Flushing Turnpike Road and Bridge Company,' passed May 4th, 1835, and the act amending the same, passed May 25, 1836," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

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Thereupon,

Resolved, That the Senate do concur with the Assembly in their said

amendments to the said bill; two-thirds of all the mensions elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling
Mr. L. Beardeley	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Van Dyck
Mr. Hunter	Mr. Mack	Mr. Wager
Mr. Huntington	Mr. Paige	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. H. F. Jones	Mr. Seger	Mr. Young
Mr. Lacy	•	•

The bill entitled "An act to provide for the construction of a rail-road from the village of Warwick to the New-York and Erie rail-road," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupen,

Resolved, That the Senate do concur in the amendments of the Assembly to said bill; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling	
Mr. L. Beardsley	Mr. Livingston	Mr. Tallmadge	
Mr. Downing	Mr. Loomis	Mr. Tracy	-
Mr. Edwards	Mr. McLean	Mr. Van Dyck	
Mr. Hunter	Mr. Paige	Mr. Wager	
Mr. Johnson	Mr. Powers	Mr. Willes	
Mr. H. F. Jones	Mr. Seger	Mr. Works	٠
Mr. Lacy	Mr. Spraker	Mr. Young	24

The bill entitled "An act to provide for the construction of a rail-road; from the village of Goshen to the east line of the state of New-Jersey," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Resolved, That the Senate do concur in the amendments of the Assembly to said bill; two-thirds of all the members elected to the Senate veting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Downing	Mr. Livingston	Mr. Tallmadge
Mr. Edwards	Mr. McLean	Mr. Tracy
Mr. Hunter	Mr. Mack	Mr. Van Dyck
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Mr. Huntington Mr. Paige Mr. Willes Mr. Johnson Mr. Powers Mr. Works Mr. H. F. Jones Mr. Seger Mr. Young

The bill entitled "An act to provide for the construction of a rail-road from the village of Malden to Smithbush-kill, in the town of Shandaken, in the county of Ulster," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Resolved, That the Senate do concur in the amendments of the Assembly to said bill; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Sterling
Mr. L. Beardsley	Mr. Livingston	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Paige	Mr. Wager
Mr. Huntington	Mr. Powers	Mr. Willes
Mr. Johnson	Mr. Seger	Mr. Works
Mr. H. F. Jones	Mr. Spraker	Mr. Young
Mr Incv	•	9

Mr. Lacy

Ordered, That the clerk deliver said bills, and copies of said resolutions to the Assembly.

Two several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to wit:

"An act to authorize the compact part of the city of Hudson to borrow money, for the purposes therein mentioned:"

"An act to appoint commissioners to lay out a road from Manheim bridge to Cherry-Valley:"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

Mr. Edwards asked for and obtained leave to bring in a bill, entitled "An act for the relief of Louisa Troup and others;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Tallmadge, in pursuance of notice heretofore given, brought in a bill, entitled "An act to amend title fifth, chapter sixth, part third of the Revised Statutes, relative to the sale and redemption of real estate sold under execution;" which was read the first time, and by unanimous consent was also read a second time, and committed to a commit-

tee of the whole.

Mr. Paige asked for and obtained leave to bring in a bill, entitled "An act to authorize the proprietors of the Albany pier to increase the

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24

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width of the said pier;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

On motion of Mr. Wager,

Ordered, That the bill, entitled "An act suspending for a limited time certain provisions of law, and for other purposes," be recommitted to a committee of the whole.

Thereupon,

The Senate then again resolved itself into a committee of the whole on said bill; and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported the same with amendments.

The said report was read in the words following, to wit:

An Act suspending for a limited time certain provisions of law, and for other purposes.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

is 1. Every provision of law in force, requiring or authorizing proceedings against any bank in this state, with a view to forfeit its charter, or wind up its concerns, or which requires such bank to suspend its operations and proceedings, in consequence of a refusal to pay its notes or evi-

dences of debt in specie, is hereby suspended for one year.

\$2. In any suit prosecuted against any such corporation, or individual stockholder, within the period aforesaid, for non-payment of its debts in specie, no costs shall be recoverable by the party prosecuting, unless the amount of the debt or damages recovered shall be such as would entitle the plaintiff to costs were the judgment against a natural person; and every issue of law or fact joined in such suit, shall be brought to trial according to the same rules as apply to other issues joined in the said courts, notwithstanding the provisions of section eleven, of title four, chapter eight, of the third part of the Revised Statutes; and the provisions of sections eight, nine and ten, of title four, chapter eight, of the third part of the Revised Statutes, shall not be applicable to such suits.

§ 3. The amount of notes or bills issued and in circulation of the several banks of this state, shall not hereafter exceed the following amounts respectively: Those having capitals to the amount of one hundred thousand dollars, a circulation of one hundred and fifty thousand dollars; those having capitals to the amount of one hundred and twenty thousand dollars, one hundred and sixty thousand dollars; those having capitals to the amount of one hundred and fifty thousand dollars, one hundred and seventy-five thousand dollars; those having capitals to the amount of two hundred thousand dollars; those having capitals to the amount of two hundred and fifty thousand dollars; those having capitals to the amount of three hundred thousand dollars, two hundred and fifty thousand dollars; those having capitals to the amount of four hundred thousand dollars, three hundred thousand dollars; those having capitals to the amount of five hundred thousand dollars, three

handred and fifty thousand dollars; those having capitals to the amount of six hundred thousand dollars, four hundred and fifty thousand dollars; those having capitals to the amount of seven hundred thousand dollars, five hundred thousand dollars; those having capitals to the amount of one million dollars, eight hundred thousand dollars; those having capitals to the amount of one million four hundred and ninety thousand dollars, one million dollars; those having capitals to the amount of two million dollars, one million two hundred thousand dollars.

§ 4. No bank, or officer or agent of a bank, shall, during the suspension of specie payments by such bank, directly or indirectly, sell, dispose of, or part with at a premium, the specie of such bank, or any gold or silver bullion belonging to such bank; and it is bereby made the duty of the bank commissioners to see that the foregoing provision is faithfully complied with, and in case of the violation thereof, said commissioners are required to make and file with the secretary of state a certificate of such violation; and from thenceforth the bank so certified to have violated the aforesaid provision, shall be deprived of all benefits proffered by this act, and said commissioners shall forthwith proceed to

wind up the concerns of such bank.

§ 5. This act shall not take effect in favor of any bank not subject to the act, entitled "An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes," passed April 2, 1829, unless such bank shall signify its assent to the provisions of this act, and the provisions of the act last above mentioned and referred to, so far as regards the visitation of the bank commissioners to ascertain the extent of their issues, and their transactions in the sale of specie or bullion; nor unless such bank shall assent that the legislature may hereafter modify or repeal the act incorporating such bank, or any acts in amendment thereof; which said assent shall be given within ten days, by an agreement under its corporate seal, to be deposited with the secretary of state.

• 6. Notwithstanding the provisions in this act contained, it shall be and is, the duty of the bank commissioners to take prompt and efficient steps according to the law now in force, to forfeit the charter and wind up the concerns of any bank which they shall find to be in dangerous

or insolvent circumstances.

§ 7. This act shall take effect immediately, and shall continue in force for one year, excepting the third and fifth sections thereof.

Mr. President put the question on agreeing to the said report, and it was decided in the affirmative.

The year and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. J. P. Jones Mr. Seger Mr. J. Beardaley Mr. Laey Mr. Spraker Mr. L. Beardaley Mr. Lawyer Mr. Sterling

Mr. Downing	Mr. Livingston	Mr. Tallmadge
Mr. Edwards	Mr. Loomis	Mr. Tracy
Mr. Hunter	Mr. McLean	Mr. Van Dyck
Mr. Huntington	Mr. Mack	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Works
Mr. H. F. Jones	Mr. Powers	

FOR THE NEGATIVE.

Mr. Willes Mr. Young

· Ordered, That said bill be engreesed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly, entitled "An act concerning the sale of real estate by mortgages;" and after some time spent thereon, Mr. President resumed the chair, and Mr. Seger, from the said committee, reported that they had passed the same with amendments.

Mr. Tracy moved to lay the said report on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Paige	
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Powers	
Mr. L. Beardaley	Mr. Lacy	Mr. Seger	•
Mr. Downing	Mr. Livingston	Mr. Tallmadge	
Mr. Edwards	Mr. McLean	Mr. Wager	
Mr. Johnson	Mr. Mack	Mr. Works	18

FOR THE AFFIRMATIVE.

Mr. Hunter	Mr. Spraker	Mr. Willes		
Mr. Huntington	Mr. Tracy	Mr. Young		
Mr. Loomis	Mr. Van Dyck	_	•	8

Thereupon.

Mr. President put the question on agreeing to said report, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. J. Beardsley	Mr. Lacy	Mr. Seger
Mr. L. Beardeles	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. McLean	Mr. Tallmadge
Mr. Edwards	Mr. Mack	Mr. Wager

Mr. Johnson Mr. Paige Mr. Works
Mr. H. F. Jones 19

FOR THE NEGATIVE.

Mr. Hunter Mr. Tracy Mr. Willes
Mr. Huntington Mr. Van Dyck Mr. Young
Mr. Spraker 7

Ordered, That the amendments be engrossed, and the bill to a third reading.

The bill from the Assembly, entitled "An act to repeal the charter

of the Lockport Bank," was read the third time. Ordered, That said bill be laid on the table.

The engreesed bill, entitled "An act suspending for a limited time certain provisions of law, and for other purposes," was read the third time.

Mr. President put the question on the final passage of the said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger	
Mr. L. Beardsley	Mr. Lawyer	Mr. Sparker	
Mr. Downing	Mr. Livingston	Mr. Sterling	
Mr. Edwards	Mr. Loomis	Mr. Tallmadge	
Mr. Hunter	Mr. McLean	Mr. Tracy	
Mr. Huntington	Mr. Mack	Mr. Van Dyck	٠.
Mr. H. F. Jones	Mr. Paige	Mr. Wager	
Mr. J. P. Jones	Mr. Powers	Mr. Works	24

FOR THE NEGATIVE.

Mr. Willes Mr. Young	2
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Ordered, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

The bill from the Assembly, entitled "An act concerning the sale of certain real estate by mortgage," with the engrossed amendments, was read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Powers
Mr. L. Beardeley	Mr. Lawyer	Mr. Seger
Mr. Downing	Mr. Livingston	Mr. Sterling

Mr. Edwards	Mr. McLean	Mr. Tallmadge	18
Mr. H. F. Jones	Mr. Mack	Mr. Wager	
Mr. J. P. Jones	Mr. Paige	Mr. Works	

FOR THE NEGATIVE.

Mr. Hunter	Mr. Tracy	Mr. Willes	
Mr. Spraker	Mr. Van Dyck	Mr. Young	6

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

On motion of .Mr. Tracy,

Resolved, That when the Senate adjourns, it adjourn to meet again at four o'clock this afternoon.

Then the Senate adjourned until four o'clock, P. M.



The Senate met pursuant to adjournment.

The Senate then again took up the consideration of the amendments of the Assembly to the bill, entitled "An act to authorize the building of a private bridge across the Harlaem river."

Mr. President put the question on agreeing to said amendments, and

it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Lawyer	Mr. Spraker	
Mr. Livingston		
Mr. Loomis		
		22
	Mr. Lawyer Mr. Livingston Mr. Loomis Mr. McLean Mr. Paige Mr. Powers Mr. Seger	Mr. Livingston Mr. Loomis Mr. Tracy Mr. McLean Mr. Van Dyck Mr. Paige Mr. Wager Mr. Powers Mr. Willes

FOR THE NEGATIVE.

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Mr. Tallmadge

Resolved, That the Senate do concur with the Assembly in their said amendments to the said bill.

Ordered, That the clerk deliver said Mil, and a copy of said resolu-

tion to the Amembly.

The engrossed bill, entitled "An act to incorporate the Smithville and Willet Turnpike Company," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Lawyer Mr. Livingsten Mr. McLean Mr. Paige Mr. Powers Mr. Seger	Mr. Sterling Mr. Tallmadge Mr. Tracy Mr. Van Dyck Mr. Wager Mr. Willes
Mr. Seger Mr. Spraker	Mr. Willes Mr. Young
	Mr. Livingsten Mr. McLean Mr. Paige Mr. Powers Mr. Seger

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The engrossed bill, entitled "An act to authorize the wife of any State prison convict to lease, mortgage or convey her real estate," was read the third time and passed.

The engrossed bill, entitled "An act for the relief of the Cohoes

Company," was read the third time and passed.

The engrossed bill, entitled "An act amending the act regulating the price to be paid for land taken for the enlargement of the Erie canal, passed April 3, 1837," was read the third time and passed.

The engrossed bill, entitled "An act in relation to the canals," was

read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as fellows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers	
Mr. L. Beardsley	Mr. Lawyer-	Mr. Seger	
Mr. Downing	Mr. Livingston	Mr. Spraker	
Mr. Edwards	- Mr. Loomis	Mr. Tracy	
Mr. Hunter	Mr. McLean	Mr. Wager	
Mr. Johnson	Mr. Mack	Mr. Willes	
Mr. H. F. Jones	Mr. Paige .	Mr. Works	21

FOR THE NEGATIVE.

Mr. Lacy Mr. Van Dyck Mr. Young	Mr. Lacy	Mr. Van Dyck	Mr. Young	3
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The engrossed bill, entitled "An act to authorize the proprietors of the Albany pier to increase the width of the said pier," was read the third time and passed.

Ordered, That the clerk deliver said bills to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to provide for the construction of a rail-road from Coxsackie to Schenectady," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE APPIRMATIVE

Mr. Armstrong	Mr. Lacy	Mr. Seger	
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker	•
Mr. Downing	Mr. Livingston	Mr. Sterling	
Mr. Edwards	Mr. Loomis	Mr. Tracy	
Mr. Hunter	Mr. McLean	Mr. Van Dyck	
Mr. Johnson	Mr. Mack	Mr. Wager	
Mr. H. F. Jones	Mr. Paige	Mr. Willes	
Mr. J. P. Jones	Mr. Powers	Mr. Works	24

FOR THE NEGATIVE.

Mr. Young

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The bill from the Assembly, entitled "An act to amend the charter of the village of Ogdensburgh, relative to highway assessments," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Van Dyck
Mr. Hunter	Mr. Mack	Mr. Willes
Mr. Johnson	Mr. Paige	Mr. Works
Mr. H. F. Jones	Mr. Powers	Mr. Young
Mr. J. P. Jones	Mr. Seger	

The bill from the Assembly, entitled "An act to previde for the construction of the Genesce and Cattaraugus rail-road," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Downing	Mr. Livingsten	Mr. Sterling
Mr. Edwards	Mr. Loomis	Mr. Tracy
Mr. Hunter	Mr. McLean	Mr. Van Dyck
Mr. Johnson	Mr. Mack	Mr. Willes
Mr. H. F. Jones	Mr. Paige	Mr. Works
	Mr. Powers	
[SENATE JOURNAL	.] N 3	

FOR THE NEGATIVE.

Mr. Young

The bill from the Assembly, entitled "An act to provide for the construction of the Eric and Cattaraugus rail-road," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE APPLEMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. L. Beardaley	Mr. Lawyer	Mr. Spraker
Mr. Downing	Mr. Livingston	Mr. Sterling
Mr. Edwards	Mr. Loomis	Mr. Tracy
Mr. Hunter	Mr. McLean	Mr. Van Dyck
Mr. Johnson	Mr. Mack	Mr. Willes
Mr. H. F. Jones	Mr. Paige	Mr. Works
Mr I P Tones	Mr. Powers	

FOR THE NEGATIVE.

Mr. Young

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The bill from the Assembly, entitled "An act to provide for the construction of a rail-road from Trenton to Sackett's Harbor," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Powers
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Downing	Mr. Livingston	Mr. Sterling
Mr. Edwards	Mr. Loomis	Mr. Tracy
Mr. Hunter	Mr. McLean	Mr. Van Dyck
Mr. Johnson	Mr. Mack	Mr. Willes
Mr. H. F. Jones	Mr. Paige	Mr. Works

FOR THE NEGATIVE.

Mr. Young

Mr. J. P. Jones

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The bill from the Assembly, entitled "An act to provide for the construction of a rail-road from Rochester to Lockport," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE APPIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Seger
Mr. Armstrong Mr. L. Beardsley	Mr. Lawyer	Mr. Seger Mr. Språker

Mr. Downing	Mr. Livingston	Mr. Sterling
Mr. Downing Mr. Edwards	Mr. Livingston Mr. Loomis	Mr. Sterling Mr. Tracy
Mr. Hunter	Mr. McLean	Mr. Van Dyck
Mr. Huntington	Mr. Mack	Mr. Wager
Mr. Johnson	Mr. Paige	Mr. Willes
Mr. H. F. Jones	Mr. Powers	Mr. Works
Mr. J. P. Jones		

FOR THE NEGATIVE.

Mr. Young

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The bill from the Assembly, entitled "An act to subject monied or stock corporations to assessment for highway labor," was read the third time and passed.

The bill from the Assembly, entitled "An act for the relief of Keyes

P. and Hyman J. Cool," was read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong Mr. Downing	Mr. Livingston Mr. McLean	Mr. Powers	
Mr. Edwards	Mr. McLean Mr. Mack	Mr. Spraker Mr. Sterling	•
Mr. H F Jones	Mr. Paige	Mr. Wager	.13
Mr. H. F. Jones		-	

FOR THE NEGATIVE.

Mr. Hunter	Mr. Loomis	Mr. Van Dyck	•
Mr. Johnson	Mr. Seger	Mr. Willes	
Mr. Lacy	Mr. Tracy	Mr. Young	
Mr. Lawver	•	•	10

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

Two several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended the same accordingly, of the following titles, to wit:

"An act to prevent usury:"

*An act concerning the sale of real estate by mortgage:"

The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

The bill entitled "An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts," was received from the Assembly, with a message informing that they had

receded from their amendments to the said bill not concurred in by the Senate; which was presented to his excellency the Governor by the elerk.

Then the Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M.—MAY 13, 1837.

The Senate met pursuant to adjournment.

Mr. Willes, from the committee on roads and bridges, reported with amendments, the bill from the Assembly, entitled "An act to incorporate the Steele Creek Turnpike Company;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the hill to a third reading.

Mr. Beckwith, from the committee on the division of towns and counties, reported against the bill from the Assembly, entitled "An act to divide the town of Hornellsville, in the county of Steuben;" which was

committed to a committee of the whole.

Mr. Mack, from the committee on rail-roads, reported without amendment, the bill from the Assembly, entitled "An act to provide for the construction of a rail-road from the village of Cooperstown, Otsego county, to intersect the Cherry-Valley and Susquehannah rail-road;" which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Mack, from the committee on rail-roads, to whom was referred the memorial of the New-York and Erie Rail-Road Company, praying for an amendment to the act to expedite the construction of said road,

passed April 23d, 1836, made a report thereon, which was read.

[See Senate Document No. 69.]

Mr. Mack then moved that the said memorial be printed.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows,

to wit:

Mr. Huntington

FOR THE NEGATIVE.

Mr. Beckwith Mr. Edwards Mr. Lawyer Mr. McLean	Mr. Paige Mr. Powers Mr. Spraker Mr. Tracy	Mr. Van Dyck Mr. Willes Mr. Young	11
	FOR THE AFFIRM	ATIVE.	٠
Mr. L. Beardsley Mr. Downing	Mr. Johnson Mr. Mack	Mr. Tallmadge Mr. Wager	

Mr. Works

Mr. Sterling

Mr. Edwards, from the committee on the judiciary, to whom was referred the bill, entitled "An act concerning last wills and testaments," reported against the same; which was committed to a committee of the whole.

Mr. Edwards, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act to amend the Revised Statutes, in relation to the appointment of commissioners of deeds in the respective towns in this state;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. H. F. Jones, from the committee on charitable and religious societies, to whom was referred the petition of the vestry of St. David's church in the town of Hamptonburgh, for leave to convey a certain lot of land, reported against the prayer of the said petitioners; which was

agreed to by the Senate.

Mr. Paige, from a select committee, reported with amendments, the bill from the Assembly, entitled "An act to amend an act entitled 'An act to amend an act to improve the navigation of the Albany basin,' passed April 14, 1836;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. J. P. Jones, from a select committee, reported without amendment, the bill from the Assembly, entitled "An act relative to, and to change the name of, the First Great Southwestern Turnpike Road Com-

pany;" which was committed to a committee of the whole.

Mr. Tracy, from the committee on claims, to whom was referred the petition of Lucas Elmendorf, praying reimbursement for his expenditures for work done in making the First Great Southwestern turnpike, for which, payment was to have been made by an assessment on the adjacent land; which moneys were not collected, the assessment having been set aside by the supreme court after the moneys were expended, reported against the prayer of the petitioner; which was agreed to by the Senate.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act to authorize the Brooklyn and Jamaica Rail-Road Company, to alter the route of part of the Brooklyn and Jamaica turnpike road."

Also the bill, entitled "An act to confirm the acts of John A. Mor-

rison, as a commissioner of deeds in the town of Mamakating."

Also the bill, entitled "An act to amend the act entitled 'An act to provide for the building of a new court-house in the county of Chenango.'"

W. L. MARCY.

Albany, May 10, 1837.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

Gentlemen-

I have this day approved and signed the bill, entitled "An act relative to the Mohawk and Hudson Rail-Road Company."

Also the bill, entitled "An act to authorize a grant of lands under

water in the city of Hudson."

W. L. MARCY.

Albany, May 11, 1837.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act to abelief the trial of jury at the January term of the court of common place and separal engines in and for the country of I arris"

pleas and general sessions, in and for the county of Lewis."

Also the bill, entitled "An act to amend an act entitled 'An act to incorporate the New-York and Albany Rail-Road Company,' passed April 17, 1832, and the act to amend the same, passed May 9, 1836."

Also the bill, entitled "An act to amend an act entitled 'An act to incorporate the Florida and Duanesburgh Turnpike Road Company," passed May 25, 1836."

Also the bill, entitled "An act to incorporate the Auburn Hydraulic

Company."

Also the bill, entitled "An act authorizing the comptroller to loan money to the city of Buffalo."

W. L. MARCY.

Albany, May 12, 1837.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Windsor Academy;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

The bill entitled "An act to amend the fifth subdivision of section ten, of the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26, 1831," was received from the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

Two several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the said bills, and had amended the same accordingly, of the following

titles, to wit:

"An act to incorporate the village of Dunkirk:"

"An act to incorporate the Ulster Cotton and Woollen Manufacturing Company:"

The said amended bills having been examined, Ordered, That the clork return the same to the Assembly. The bill entitled "An act to stream the charter of the village of Sing-Sing," was received from the Assembly, with a message informing that they had receded from their amendments to the said bill not concurred in by the Senate; which was presented to his excellency the Governor by the clerk.

The Assembly examined and returned eight several bills, of the fol-

lowing titles, to wit:

"An act to amend the act entitled 'An act to incorporate the North-Hempstead and Flushing Turnpike Road and Bridge Company,' passed May 4, 1835, and the act amending the same, passed May 25; 1836:"

"An act to authorize the building of a private bridge across the Harlaem river:"

"An act to provide for the construction of a rail-road from the village of Malden to Smithbushkill, in the town of Shandaken, in the county of Ulster:"

"An act to provide for the construction of a rail-road from Rome in the county of Oneida, to Port-Ontario in the county of Oswego:"

"An act to provide for the construction of a rail-road from the village

of Goshon to the east line of the state of New-Jersey:"

"An act to erect the town of Greenport, in the county of Columbia:"

"An act to provide for the construction of a rail-road from the village

of Warwick to the New-York and Erie rail-road:"

"An act to incorporate the Great Au Sable Rail-Road Company:"
Which were presented to his excellency the Governor by the clerk.

Mr. Huntington, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled "An act for the relief of Louisa Troup and others."

Thereupon,

The said engrossed bill was read the third time and passed.

Ordered, That the clerk deliver said bill to the Assembly, and re-

quest their concurrence to the same.

The bill from the Assembly, entitled "An act to revive and amend the act entitled 'An act to incorporate the village of Auroraville, in the county of Erie," was read the third time.

Mr. President put the question on the final passage of said bill, and

it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
Mr. J. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. L. Beardeley	Mr. McLean	Mr. Tallmadge
Mr. Beckwith	Mr. Mack	Mr. Wager
Mr. Downing	Mr. Paige	Mr. Willes
Mr. Edwards	_	•

THE APPIRMATIVE.

Mr. Hunter Mr. Works Mr. Sterling Mr. Lacy . Mr. Tracy Mr. Young

Mr. Van Dyck Mr. Maison

Thereupon,

Resolved, That the said bill be rejected.

Ordered, That the clerk deliver said bill and a copy of said resolu-

tion to the Assembly.

The bill from the Assembly, entitled "An act to provide for the construction of a rail-road from the village of Cooperstown, Otsego county, to intersect the Cherry-Valley and Susquebannah rail-road," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers
. Mr. J. Beardsley	Mr. Lacy	Mr. Sterling
Mr. L. Beardsley	Mr. Lawyer	Mr. Tallmadge
Mr. Beckwith	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Johnson	Mr. Maison	Mr. Works
Mr. H. F. Jones	Mr. Paige	

FOR THE NEGATIVE.

Mr. Young

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Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amend-

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to improve the navigation of the Albany basin,' passed April 14, 1836," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act to amend the Revised Statutes, in relation to the appointment of commissioners of deeds in the respective towns in this state," with the engrossed amendments, was

read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the Steele Creek Turnpike Company," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Lacy Mr. Armstrong Mr. Sterling Mr. L. Beardsley Mr. Lawyer Mr. Tallmadge

Mr. Beckwith	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Tracy Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Paige	Mr. Works
Mr. H. F. Jones	Mr. Powers	Mr. Young
Mr. J. P. Jones	Mr. Spraker	

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

Mr. Maison moved to postpone the question on the final passage of the bill from the Assembly, entitled "An act to repeal the charter of the Lockport Bank," until Monday next.

Mr. President put the question on agreeing to said motion, and it was

decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Huntington	Mr. Mack	
Mr. J. Beardsley	Mr. Johnson	Mr. Paige	
Mr. L. Beardsley	Mr. H. F. Jones	Mr. Tallmadge	
Mr. Downing	Mr. Lawyer	Mr. Wager	
Mr. Edwards	Mr. McLean	• •	14

FOR THE NEGATIVE.

Mr. Beckwith	Mr. Loomis	Mr. Tracy	
Mr. Hunter	Mr. Powers	Mr. Van Dyck	
Mr. Lacy	Mr. Spraker	Mr. Willes	•
Mr. Livingston	Mr. Sterling	Mr. Works	12

Mr. Wager moved that the Senate resolve itself into a committee of the whole, on the bill from the Assembly, entitled "An act for the relief of Dan Chapman."

Mr. President put the question on agreeing to said motion, and it was

decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Downing	Mr. Sterling	
Mr. J. Beardsley	Mr. McLean	Mr. Tallmadge	
Mr. L. Beardsley	Mr. Mack	Mr. Wager	12
Mr. Beckwith	Mr. Maison	Mr. Works	

[Senate Journal.]

FOR THE NEGATIVE.

Mr. Edwards Mr. J. P. Jones Mr. Tracy Mr. Willes Mr. Hunter Mr. Lacy Mr. Young Mr. Johnson Mr. Paige

The Senate then resolved itself into a committee of the whole on the said bill; and after some time spent thereon, Mr. President resumed the chair, and Mr. Armstrong, from the said committee, reported against the same; which was agreed to by the Senate.

Thereupon,

Resolved, That the said bill be rejected.

Ordered, That the clerk deliver said bill, and a copy of said resolu-

tion to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to regulate the fees of notaries public;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The bill entitled "An act to incorporate the New-York Shamrock Benevolent Society," was received from the Assembly, with a message

informing that they had rejected the same.

Mr. Tallmadge asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act in addition to the act entitled 'An act authorizing a loan of certain moneys belonging to the United States, deposited with the state of New-York for safe keeping, passed April 4, 1837;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered. That the committee of the whole be discharged from the further consideration of the bill, entitled "An act to amend title fifth, chapter sixth, part third of the Revised Statutes, relative to the sale and redemption of real estate sold under execution," and that the same be engrossed for a third reading.

Then the Senate adjourned until 10 o'clock on Monday morning

MONDAY, 10 O'CLOCK, A. M.—MAY 15, 1837.

The Senate met pursuant to adjournment.

Mr. Paige presented the memorial of stockholders in the Lockport Bank, residing in the city of Albany, and at places distant from its location, relative to the repeal of the charter of said bank; which was read, and laid on the table.

Mr. H. F. Jones, from the committee on charitable and religious societies, reported with amendments, the bill from the Assembly, entitled "An act for the relief of the new South Dutch church on Washington equare in the city of New-Yesk;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Mr. Seger, from the committee on the incorporation of cities and villages, reported against the bill from the Assembly, entitled "An act further to amend the act entitled 'An act to incorporate the village of Elmira;" which was committed to a committee of the whole.

Mr. Young, from the committee on literature, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Windsor Academy;" which was agreed to by the Senate, and the bill

ordered to a third reading.

Mr. Wager moved the following resolution:

Resolved, (if the Assembly concur,) That the tenth joint rule of the Senate and Assembly be and the same is hereby suspended.

Ordered, That the said resolution be laid on the table.

Ordered, That the committee on the judiciary be discharged from the further consideration of the petition of sundry inhabitants of Utica, praying for the passage of a law making cities and villages liable for private property destroyed by mobs.

The bill entitled "An act to amend the Revised Statutes in relation to the appointment of commissioners of deeds in the respective towns in this state," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

The bill entitled "An act authorizing the appointment of commissioners to digest and report a judicial and equity system for the state of New-York," was received from the Assembly, with a message informaing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the comptroller to loan money to the town of Hoosick, in the county of Rensselaer, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time,

and referred to the committee on finance.

The bill entitled "An act to incorporate the West-Carthage Iron and Lead Company," was received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to the same, and had amended it accordingly.

The said amended bill having been examined,

Ordered, That the clerk return the same to the Assembly.

Mr. Maison moved that the bill from the Assembly, entitled "An act to repeal the charter of the Lockport Bank," be committed to a committee of the whole.

Mr. President put the question on agreeing to said motion, and it was

decided in the negative.

The year and nage being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. J. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. L. Beardsley	Mr. Livingston	Mr. Tallmadge
Mr. Beckwith	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Paige	Mr. Willes
Mr. Huntington	Mr. Powers	Mr. Works
Mr. Johnson	Mr. Seger	Mr. Young
Mr. H. F. Jones	3.2.1. 2.3.6.1	

FOR THE AFFIRMATIVE.

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Thereupon,

Mr. Maison

Mr. President put the question on the final passage of the said bill, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Spraker
Mr. J. Beardsley	Mr. Lacy	Mr. Sterling
Mr. L. Beardsley	Mr. Lawyer	Mr. Tallmadge
Mr. Beckwith	Mr. Livingston	Mr. Tracy
Mr. Downing	Mr. Loomis	Mr. Van Dyck
Mr. Edwards	Mr. McLean	Mr. Willes
Mr. Hunter	Mr. Powers	Mr. Works
Mr. Huntington	Mr. Seger	Mr. Young
Mr. Johnson		

FOR THE NEGATIVE.

Mr. Mack	Mr. Paige	Mr. Wager	
Mr. Maison	J	•	4

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Maison meved the following resolution:

Resolved, That Mr. Maison, senator from the second district, have leave to enter on the journals of the Senate, his protest and reasons for voting against the bill to repeal the Lockport Bank.

Mr. President put the question on agreeing to said resolution, and it

was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Sterling	
Mr. J. Beardsley	Mr. Lacy	Mr. Tracy	
Mr. Beckwith	Mr. Loomis	Mr. Van Dyck	
Mr. Edwards	Mr. Powers	Mr. Willes	
Mr. Hunter	Mr. Seger	Mr. Works	
Mr. Johnson	Mr. Spraker	Mr. Young	18

FOR THE AFFIRMATIVE.

Mr. L. Beardsley Mr. Downing Mr. Huntington Mr. Lawyer	Mr. Livingston Mr. McLean Mr. Mack	Mr. Paige. Mr. Tallmadge Mr. Wager	. 10
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A copy of a resolution was received from the Assembly, and read in the words following, to wit:

Resolved, (if the Senate concur,) That the tenth joint rule of the Senate and Assembly be, and the same is hereby suspended.

Mr. President put the question on agreeing to said resolution, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. L. Beardsley	Mr. Lacy	Mr. Spraker	
Mr. Beckwith	Mr. Lawyer	Mr. Tracy	
Mr. Edwards	Mr. Loomis	Mr. Van Dyck	
Mr. Hunter	Mr. McLean	Mr. Willes	
Mr. Huntington	Mr. Paige	Mr. Works	
Mr. Johnson	Mr. Powers	Mr. Young	
Mr. H. F. Jones	Mr. Seger		20

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Livingston	Mr. Sterling	
Mr. J. Beardsley	Mr. Mack	Mr. Tallmadge	
Mr. Downing	Mr. Maison	Mr. Wager	9

Resolved, That the Senate do not concur with the Assembly in their said resolution.

Ordered, That the clerk deliver a copy of said resolution to the Assembly.

Mr. Livingston asked for, and by unanimous consent obtained leave to bring in a bill, entitled "An act to repeal in part title twenty, chapter twenty, first part of the Revised Statutes;" which was read the first time, and by unanimous consent was also read a second time, and laid on the table.

Ordered, That the committee of the whole be discharged from the

further consideration of the bill from the Assembly, entitled "An act to incorporate the village of Fairport, in the county of Chemung," and

that the same be ordered to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act to incorporate the village of Aurora, in the county of Cayuga," and that the same be ordered to a third reading.

A message from his excellency the Governor, delivered by his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act

to erect the town of Greenport, in the county of Columbia."

Also the bill, entitled "An act to provide for the construction of a rail-road from the village of Malden to Smithbushkill, in the town of Shandaken, in the county of Ulster."

Also the bill, entitled "An act to incorporate the Great Au Sable

Rail-Road Company."

Also the bill, entitled "An act to provide for the construction of a rail-road from the village of Warwick to the New-York and Erie rail-road."

Also the bill, entitled "An act to provide for the construction of a rail-road from the village of Goshen to the east line of the state of New-Jersey"

Also the bill, entitled "An act to provide for the construction of a rail-road from Rome in the county of Oneida, to Port-Ontario in the county of Oswego."

Also the bill, entitled "An act to amend the fifth subdivision of section ten, of the act entitled 'An act to abolish imprisonment for debt,

and to punish fraudulent debtors,' passed April 26, 1831."

Also the bill, entitled "An act to amend the act entitled 'An act to incorporate the North-Hempstead and Flushing Turnpike Road and Bridge Company,' passed May 4, 1835, and the act amending the same, passed May 25, 1836."

W. L. MARCY.

Albany, May 13, 1837.

The Senate then took up the consideration of the joint resolution, that the Comptroller be authorized to suspend the collection of a bond held by the State against certain citizens of Utica, for the extra expense of terminating the Chenango canal.

Mr. Edwards moved to lay the same on the table.

Mr. President put the question on agreeing to said metion, and it was decided in the negative.

The year and mays being moved and seconded, were as follows,

to wit:

FOR THE MEGATIVE.

Mr. Armstrong	Mr. Huntington	Mr. Sterling	17
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Tallmadge	
Mr. L. Beardsley	Mr. Lawyer	Mr. Wager	
Mr. Downing	Mr. Sawara	Mr. Works	
Mr. Hunter	Mr. Seger		14

FOR THE AFFIRMATIVE.

Mr. Beckwith Mr. Edwards Mr. Johnson Mr. Lacy	Mr. Loomis Mr. McLean Mr. Maison	Mr. Van Dyck Mr. Willes Mr. Young	10
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Mr. President then put the question on concurring with the Assembly in the said resolution, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows,

to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Huntington	Mr. Sterling	
Mr. J. Beardsley	Mr. H. F. Jones	Mr. Tallmadge	•
Mr. L. Beardsley	Mr. Lawyer	Mr. Wager	
Mr. Downing	Mr. Powers	Mr. Works	
Mr. Hunter	Mr. Seger		14
	J	•	

FOR THE NEGATIVE.

Mr. Beckwith Mr. Edwards Mr. Johnson Mr. Lacy	Mr. Loomis Mr. McLean Mr. Maison	Mr. Van Dyck Mr. Willes Mr. Young	10
MIT. LACY			10

Ordered, That the clerk deliver said resolution to the Assembly, and inform them that the Senate have concurred in the same.

The bill from the Assembly, entitled "An act to incorporate the Windsor Academy," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Sterling	
Mr. J. Beardsley	Mr. Lawyer	Mr. Tallmadge	
Mr. L. Beardsley	Mr. McLean	Mr. Van Dyck	
Mr. Beckwith	Mr. Mack	Mr. Wager	
Mr. Downing	Mr. Paige	Mr. Willes	
Mr. Hunter	Mr. Powers	Mr. Works	
Mr. Johnson	Mr. Seger	Mr. Young	
Mr. H. F. Jones	Mr. Spraker		

The bill from the Assembly, entitled "An act to release to the mayor, aldermen and commonalty of the city of New-York, a certain piece of ground in the sixth ward of the said city," was read the third time and passed.

The bill from the Assembly, entitled "An act to incorporate the village of Aurora, in the county of Cayuga," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Seger
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Spraker
Mr. L. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. Beckwith	Mr. Loomis	Mr. Talimadge
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Young
Mr. Johnson	Mr. Powers	J

FOR THE NEGATIVE.

26

Mr. Lacy	Mr. Tracy	Mr. Works

The bill from the Assembly, entitled "An act to incorporate the New-York Ophthalmic Dispensary;" was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Powers	
Mr. J. Beardsley	Mr. Lacy	Mr. Seger	
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker	
Mr. Beckwith	Mr. Livingston	Mr. Sterling	
Mr. Downing	Mr. Loomis	Mr. Tallmadge	
Mr. Edwards	Mr. McLean	Mr. Wager	
Mr. Hunter	Mr. Mack	Mr. Works	
Mr. Huntington	Mr. Maison	Mr. Young	
Mr. H. F. Jones	Mr. Paige	•	26

FOR THE NEGATIVE.			
Mr. Johnson Mr. Tracy	Mr. Van Dyck	Mr. Willes	4

The bill from the Assembly, entitled "An act to incorporate the village of Fairport, in the county of Chemung," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE APPIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Spraker
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Sterling
Mr. L. Beardsley	Mr. Lacy	Mr. Tallmadge
Mr. Beckwith	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Van Dyck
Mr. Edwards	Mr. Mack	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Powers	Mr. Young

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act for the relief of the new South Dutch church on Washington square in the city of New-York," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

, FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Spraker
Mr. J. Beardsley	Mr. Lacy	Mr. Sterling
Mr. L. Beardsley	Mr. Lawyer	Mr. Tallmadge
Mr. Beckwith	Mr. Loomis	Mr. Van Dyck
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Edwards	Mr. Mack	Mr. Willes
Mr. Hunter	Mr. Paige	Mr. Works
Mr. Johnson	Mr. Seger	Mr. Young
Mr. H. F. Jones	3	•

The bill from the Assembly, entitled "An act to authorize the comptroller to loan money to the town of Hoosick, in the county of Rensedaer, and for other purposes," with the engrossed amendments, was read the third time and passed.

25

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amend-

ments therewith delivered.

The engrossed bill, entitled "An act to amend title fifth, chapter sixth, part third of the Revised Statutes, relative to the sale and redemption of real estate sold under execution," was read the third time and passed.

Thereupon,

Resolved, (if the Assembly concur,) That the tenth joint rule be suspended, so far as to authorize the action of the two Houses on the bill entitled "An act to amend title fifth, chapter sixth, part third of the Revised Statutes, relative to the sale and redemption of real estate sold under execution."

Ordered, That the clerk deliver a copy of said resolution to the As-

embly.

[SENATE JOURNAL.]

Mr. Edwards moved the following resolution:

Resolved, That the Senate concur in the report made by the majority of the committee appointed to investigate the charges against Mr. Young, in making sale of the Saratoga County Bank stock, while a senator of this body.

Ordered, That said resolution be laid on the table.

Ordered, That when the Senate adjourns, it adjourn to meet at halfpast three o'clock this afternoon.

Thereupon,

The Senate adjourned until half-past three c'clock, P. M.

HALF-PAST THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Ordered, That the committee of the whole be discharged from the further consideration of four several bills from the Assembly, of the following titles, to wit:

"An act confirming the official acts of John A. Seeber, a commis-

sioner of deeds:"

"An act to amend an act entitled 'An act directing the manner of choosing electors of president and vice-president, passed April 15th, 1829:"

"An act for the more effectual punishment of crimes:"

"An act further to amend the act entitled 'An act to incorporate the village of Elmira:"

And that the same be severally ordered to a third reading.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

Gentlemen-

I have this day approved and signed the bill, entitled "An act to authorize the building of a private bridge across the Harlaem river."

Also the bill, entitled "An act to amend the charter of the village of

Also the bill, entitled "An act authorizing the appointment of commissioners to digest and report a judicial and equity system for the state of New-York."

W. L. MARCY.

Albany, May 15, 1837.

A copy of a resolution was received from the Assembly, informing that they had concurred in the resolution for suspending the tenth joint rule, on the bill amending the Revised Statutes relative to the sale and redemption of real estate.

A copy of a resolution was received from the Assembly, and read, in

the words following, to wit:

Resolved, (if the Senate concur,) That the tenth joint rule of the Senate and Assembly be suspended, so far as to authorize the action of the two Houses on the bill entitled "An act to incorporate the Tailoresses' and Seamstresses' Benevolent Society of New-York;" on the bill entitled "An act authorizing the appraisement of certain lands belonging to this State, and their conveyance on certain conditions;" and on the bill entitled "An act authorizing the payment of certain officers of government, and for other purposes."

Resolved, That the Senate do concur with the Assembly in the said

resolution.

Ordered, That the clerk deliver said resolution of concurrence to the

Assembly.

The bill from the Assembly, entitled "An act for the relief of Mary Cook and Sally Cook," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lawyer	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Beckwith	Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Paige	Mr. Works
Mr. H. F. Jones	Mr. Powers	Mr. Young
Mr. Lacv	Mr. Seger	

The bill from the Assembly, entitled "An act to amend the Revised Statutes, in relation to escapes from prisons and assisting therein," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly, entitled "An act further to amend the act entitled 'An act to incorporate the village of Elmira,'" with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. J. P. Jones	Mr. Paige
Mr. J. Beardsley	Mr. Lacy	Mr. Powers
Mr. L. Beardeley	Mr. Lawyer	Mr. Spraker
Mr. Beckwith	Mr. Livingston	Mr. Sterling
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Willes
Mr. Hunter	Mr. Mack	Mr. Works
Mr. Huntington	Mr. Maison	Mr. Young
Mr. H. F. Jones		

The bill from the Assembly, entitled "An act confirming the official acts of John A. Seeber, a commissioner of deeds," with the engrossed amendments, was read the third time and passed.

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same, with the amend-

ments therewith delivered.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act directing the manner of choosing electors of president and vice-president,' passed April 15, 1829," was read the third time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

The resolution from the Assembly in relation to the election of mayors in the several cities of this State, was read the third time and passed; a majority of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. J. Beardsley	Mr. Johnson	Mr. Maison	
Mr. Beckwith	Mr. H. F. Jones	Mr. Paige	
Mr. Downing	Mr. Lawyer	Mr. Powers	
Mr. Edwards	Mr. Livingston	Mr. Seger	
Mr. Hunter	Mr. McLean	Mr. Tallmadge	
Mr. Huntington	Mr. Mack	Mr. Works	18

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Loomis	Mr. Tracy
Mr. L. Beardsley	Mr. Spraker	Mr. Willes
Mr. J. P. Jones	Mr. Sterling	Mr. Young
Mr. Lacv	•	•

Resolved, That the Senate do concur with the Assembly in their said resolution.

10

Ordered, That the clerk deliver a copy of said resolution of concurrence to the Assembly.

Two several bills were received from the Assembly for concurrence,

of the following titles, to wit:

"An act to incorporate the Tailoresses' and Seamstresses' Benevolent Society of New-York:"

"An act authorizing the appraisement of certain lands belonging to this State, and their conveyance on certain conditions:"

Which were read the first time, and by unanimous consent were also read a second time, and ordered to a third reading.

Thereupon.

The said bill, entitled "An act to incorporate the Tailoresses' and Seamstresses' Benevolent Society of New-York," was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Powers
Mr. J. Beardsley	Mr. J. P. Jones	Mr. Seger
Mr. Beckwith	Mr. Lacy	Mr. Spraker
Mr. Downing	Mr. Livingston	Mr. Sterling
Mr. Edwards	Mr. Loomis	Mr. Tallmadge
Mr. Hunter	Mr. McLean	Mr. Tracy
Mr. Huntington	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Paige	Mr. Young

The said bill, entitled "An act authorizing the appraisement of certain lands belonging to this State, and their conveyance on certain conditions," was read the third time and passed.

24

Ordered, That the clerk deliver the said bills to the Assembly, and inform them that the Senate have passed the same without amend-

ment.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly, entitled "An act relating to assistant justices' courts in the city of New-York," and that the same, with the engrossed amendments, be ordered to a third reading.

Thereupon,

The said bill, with the engrossed amendments, was read the third

time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered:

Mr. Maison, from the committee on the judiciary, reported with amendments, the bill from the Assembly, entitled "An act to regulate the fees of notaries public;" which was agreed to by the Senate, the amendments ordered to be engrossed, and the bill to a third reading.

Thereupon,

The said bill, with the engrossed amendments, was read the third

time and passed.

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act in addition to the act entitled 'An act authorizing a loan of certain moneys belonging to the United States, deposited with the state of New-York fof safe keeping; passed April 4, 1837; and after some time spent thereon, Mr. President resumed the chair, and Mr. Young, from the said committee, reported that they had rejected the first section of the said bill; which was agreed to by the Senate.

Ordered, That the select committee, consisting of the senators from the first and second senate districts, be discharged from the further consideration of the memorial of the owners of real estate in the county of Westchester, against the act, entitled "An act to provide for supplying the city of New-York with pure and wholesome water," passed May

2, 1834.

The bill entitled "An act to waspend for a limited time certain provisions of law, and for other purposes," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

The amendment to add a fourth section, was read in the words following, to wit:

§ 4. No such corporation shall, directly or indirectly, divide or pay to or among its stockholders, or to any person for them, any dividends, interest or profits whatever, until it shall resume the payment of its notes and evidences of debt in specie.

Mr. President put the question on agreeing to said amendment, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Powers	
Mr. L. Beardsley	Mr. J. P. Jones	Mr. Seger	
Mr. Beckwith	Mr. Livingston	Mr. Spraker	
Mr. Downing	Mr. Loomis	Mr. Tallmadge	
Mr. Edwards	Mr. McLean	Mr. Tracy	
Mr. Hunter	Mr. Mack	Mr. Van Dyck	
Mr. Huntington	Mr. Maison	Mr. Wager	
Mr. Johnson	Mr. Paige	Mr. Willes	24

FOR THE NEGATIVE.

Mr. Lacy	Mr. Works	Mr. Young	3
Mr. Lacy	MIL. ALOURS	Mr. roung	3

Resolved, That the Senate do concur with the Assembly in their said amendments to the said bill.

Ordered, That the clerk deliver said bill and a copy of said resolution to the Assembly.

Then the Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M.—MAY 16, 1897.

The Senate met pursuant to adjournment.

The President having yesterday announced on the adjournment of the Senate, that he should not resume the chair this morning:

Thereupon,

The clerk called the Senate to order; and they then proceeded to choose by ballot a president pro tem.; and the ballots having been taken and counted, it appeared that the Hon. John M'Lean was duly elected; and having taken the chair, addressed the Senate as follows:

SENATORS:

I have not language adequate to express the deep sense of the obligation, for the distinction, which my election as your temporary presiding officer confers: Accept, gentlemen, the return of my liveliest gratitude for this expression of your confidence, with the assurance that my best exertions will be brought to the discharge of the duties of this place, in the absence of our revered President. Relying upon your kind cooperation, I enter with diffidence upon the discharge of those functions, which your evident partiality has assigned to me.

Ordered, That Mr. Seger and Mr. Paige wait upon the Governor, and inform him that the Senate have appointed the Hon. John M'Lean president pro tem.

Ordered, That Mr. Livingston and Mr. Tallmadge wait upon the

Assembly with a like message.

Mr. Wager presented the petition of citizens of Utica, for a modified repeal of the small bill law; which was read, and laid on the table.

The proceedings of a meeting of inhabitants of Penn-Yan and vicinity, recommending a suspension of specie payments, was received and

read, and laid on the table.

Mr. Armstrong, from the committee on banks and insurance companies, brought in a bill, entitled "An act to amend an act entitled 'An act suspending for a limited time certain provisions of law, and for other purposes,' passed May 16, 1837;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Thereupon,

The said engrossed bill was read the third time and passed.

Ordered, That the clerk deliver said bill to the Assembly, and request their concurrence to the same.

On motion of Mr. Armstrong,

Resolved, (if the Assembly concur,) That the tenth joint rule of the Senate and Assembly be so far suspended, as to allow the sending to the Assembly for concurrence the bill, entitled "An act to amend an act entitled 'An act suspending for a limited time certain provisions of law, and for other purposes,' passed May 16, 1837."

Ordered, That the clerk deliver a copy of said resolution to the As-

sembly.

Mr. Loomis, from the committee on manufactures, reported without amendment, the bill from the Assembly, entitled "An act to incorporate the Clinton Lumber and Iron Association;" which was committed to a committee of the whole

to a committee of the whole.

Mr. Willes, from the committee on roads and bridges, reported against the petition of sundry inhabitants of Schoharie county, for the Sloans-ville Bridge Company in the town of Schoharie; also the petition of the inhabitants of the counties of Ulster and Greene, praying for the incorporation of a turnpike company; also the petition of inhabitants of Deerpark in Orange county, for the incorporation of the Fort De Witt Company; which was agreed to by the Senate.

Mr. Seger, from the committee on the incorporation of cities and villages, to whom were referred the petition and remonstrance of inhabitants of Ulster county, in relation to incorporating the village of Milton,

reported against the same; which was agreed to by the Senate.

Ordered, That the committee on the incorporation of cities and villages, be discharged from the further consideration of the petition of the trustees of the village of New-Berlin, for an additional engine com-

Ordered, That the committee on the judiciary be discharged from the further consideration of the petition of inhabitants of Plainfield, Otsego county, for a law legalizing and confirming the election of town officers

in said town.

Ordered, That the committee on finance be discharged from the further consideration of the petition of Joel and Ornan Crane, inhabitants of the county of Delaware, praying for a loan of money from the State,

to enable them to proceed in boring for salt water.

Ordered, That the committee on manufactures be discharged from the further consideration of the petition of Dan Bradley and others, on the subject of distilling grain; also the report of the superintendent of the Onondaga salt spings and of the inspector of salt; also the report of H. R. Graves; also the report of the inspector of pot and pearl ashes for the city of New-York; also the report of Nathaniel Parmateer, inspector of leather for St. Lawrence county; also the report of the inspector of sole leather for Tompkins county; also the report of Henry Salsbury, an inspector of lumber.

Ordered, That the committee on the poor laws be discharged from the further consideration of the petition of sundry inhabitants of Cherry-Valley, praying for an amendment of the law in relation to tavern

licenses.

Ordered, That the committee on canals be discharged from the further consideration of the bill, entitled "An act to amend the act entitled 'An act in relation to the appraisement of damages on the canals, and for other purposes,' passed May 4, 1829;" also the bill, entitled 'An act to amend an act entitled 'An act for the construction of the ocks in the Cayuga and Seneca canal, and the west branch feeder of the Champlain canal,' passed May 25, 1836;" also the memorials and petitions in relation to the enlargement of the Erie canal.

Eight several bills were received from the Assembly, with a message informing that they had concurred in the amendments of the Senate to

the same, and had amended the same accordingly, of the fellowing titles, to wit:

"An act to amend an act entitled 'An act to improve the navigation of the Albany basin,' passed April 14, 1836:"

"An act relating to assistant justices' courts in the city of New-York:"

"An act to incorporate the Steele Creek Turnpike Company:"

"An act to amend the Revised Statutes in relation to escapes from prisons, and assisting therein:"

"An act confirming the official acts of John A. Seeber, a commis-

sioner of deeds:"

"An act to authorize the comptroller to loan money to the town of Hoosick, in the county of Rensselaer, and for other purposes:"

"An act for the relief of the new South Dutch church on Washing-

ton square in the city of New-York:"

"An act for the relief of Mary and Sally Cook:"
The said amended bills having been examined,

Ordered, That the clerk return the same to the Assembly.

Three several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act for the relief of Louisa Troup and others:"

"An act in relation to the canals:"

"An act for the relief of the president, directors and company of the New-York State Bank:"

Which were presented to his excellency the Governor by the clerk. A copy of a resolution was received from the Assembly, and read in

the words following, to wit:

Resolved, (if the Senate concur,) That the tenth joint rule of the Senate and Assembly be suspended, so far as to authorize the action of the two Houses on the bill entitled "An act to amend and continue in force the act entitled 'An act to provide for the construction of a rail-road from the navigable waters of the great western lakes, to Lake Champlain,' passed May 21st. 1836."

Resolved, That the Senate do concur with the Assembly in the said

resolution.

Ordered, That the clerk deliver a copy of said resolution of concur-

rence to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to amend and continue in force the act entitled 'An act to provide for the construction of a rail-road from the navigable waters of the great western lakes to Lake Champlain,' passed May 21st, 1836;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on rail-roads.

Mr. Mack, from the committee on rail-roads, reported without amendment, the bill from the Assembly, entitled "An act to amend and continue in force the act entitled 'An act to provide for the construction of a rail-road from the navigable waters of the great western lakes to Lake Champlain,' passed May 21, 1836;" which was agreed to by the Se-

nate, and the bill ordered to a third reading.

Thereupon.

The said bill was read the third time and passed; two-thirds of all the members elected to the Sanate veting in favor thereof, as fellows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Paige
Mr. J. Beardsley	Mr. Lawyer	Mr. Tallmadge
Mr. L. Beardsley	Mr. Livingston	Mr. Tracy
Mr. Beckwith	Mr. Loomis	Mr. Van Dyck
Mr. Downing	Mr. McLean	Mr. Willes
Mr. Edwards	Mr. Mack	Mr. Works
Mr. Huntington	Mr. Maison	Mr. Young
Mr. Johnson		

The bill entitled "An act to incorporate the Salmon River Harbor Canal Company," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith

22

delivered.

Thereupon,

Resolved, That the Senate do concur in the amendments of the Assembly to said bill.

Ordered, That the clerk deliver said bill, and a copy of said resolu-

tion to the Assembly.

Six several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act for the relief of the Cohoes Company:"

"An act to incorporate the Rosendale Turnpike Company:"

"An act relative to the court of common pleas of the city and county of New-York:"

"An act relating to the Albany basin:"

"An act to incorporate the Hudson River Agricultural Seminary:"

"An act in relation to the office of surrogate:"

Which were presented to his excellency the Governor by the clerk.

A copy of a resolution was received from the Assembly, and read, in

the words following, to wit:

Resolved, (if the Senate concur,) That the tenth joint rule of the Senate and Assembly be so far suspended, as to allow the sending to the Senate for concurrence, the bill to provide for the construction of a rail-road from Geneva to the New-York and Erie rail-road.

Resolved. That the Senate do concur with the Assembly in the said

resolution.

Ordered, That the clerk deliver said resolution of concurrence to the

Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the construction of a rail-road from Geneva to the New-York and Eric rail-road;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on rail-roads.

Mr. Mack, from the committee on rail-roads, reported without amendments, the bill from the Assembly, entitled "An act to provide for the construction of a rail-road from Geneva to the New-York and Eric milroad;" which was agreed to by the Senate, and the bill ordered to a third reading.

Thereupon,

The said bill was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. H. F. Jones	Mr. Seger
Mr. J. Beardsley	Mr. Lacy	Mr. Spraker
Mr. L. Beardsley	Mr. Livingston	Mr. Sterling
Mr. Beckwith	Mr. Livingston Mr. Loomis	Mr. Tallmadge
Mr. Downing	Mr. McLean	Mr. Tracy
Mr. Edwards	Mr. Mack	Mr. Van Dyck
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Huntington	Mr. Paige	Mr. Works
Mr Johnson	Mr · Powers	

FOR THE NEGATIVE.

Mr. Young

26

The bill entitled "An act to incorporate the Chemung and Ithaca Rail-Road Company," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Resolved, That the Senate do concur in the amendments of the Assembly to said bill; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. J. Beardsley	Mr. Lacy	Mr. Seger
Mr. L. Beardsley	Mr. Lawyer	Mr. Spraker
Mr. Beckwith	Mr. Livingston	Mr. Tallmadg
Mr. Downing	Mr. Loomis	Mr. Tracy
Mr. Edwards	Mr. McLean	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Powers	Mr. Works
Mr. J. P. Jones		

FOR THE NEGATIVE.

Mr. Young

22

The bill entitled "An act to incorporate the Salmon River Harbor Canal Company," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Resolved, That the Senate do concur in the amendments of the Assembly to said bill; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. Armstrong	Mr. Lacy	Mr. Spraker
Mr. J. Beardsley	Mr. Lawyer	Mr. Sterling
Mr. L. Beardsley	Mr. Livingston	Mr. Tallmadge
Mr. Beckwith	Mr. Loomis	Mr. Tracy
Mr. Downing	Mr. McLean	Mr. Wager
Mr. Hunter	Mr. Maison	Mr. Willes
Mr. Johnson	Mr. Paige	Mr. Works
	7 A	

Mr. Seger Mr. H. F. Jones

Ordered, That the clerk deliver said bills, and copies of said resolutions to the Assembly.

23

Four several bills were received from the Assembly, with a message informing that they had passed the same without amendment, of the following titles, to wit:

"An act for the relief of John Jackson and others:"

"An act to amend title fifth, chapter sixth, part third of the Revised Statutes, relative to the sale and redemption of real estate sold under execution:"

"An act to authorize the proprietors of the Albany pier, to increase the width of the said pier:"

"An act relative to the village of Monticello, in Sullivan county:" Which were presented to his excellency the Governor by the clerk.

A copy of a resolution was received from the Assembly, informing

that they had concurred in the following resolution:

Resolved, (if the Assembly concur,) That the tenth joint rule of the Senate and Assembly be so far suspended, as to allow the sending to the Assembly for concurrence, the bill entitled "An act to amend an act entitled 'An act suspending for a limited time certain provisions of law,

and for other purposes,' passed May 16, 1837."

The bill entitled "An act for the relief of William Russel," was received from the Assembly, with a message informing that they non-

concur in the amendments of the Senate to the said bill.

Resolved, That the Senate adhere to their said amendments.

Ordered, That the clerk deliver said bill and a copy of said resolution to the Assembly.

A report of the Commissioners of the Land-Office, relative to the repayment in certain cases of moneys paid for taxes, was received and read.

[See Senate Document No. 73.]

A report of the Commissioners of the Land-Office, relative to escheats, was received and read.

[See Senate Document No. 72.]

. Mr. L. Beardney moved a resolution in the words following, to wit: Resolved, As the sense of the Senate, that the provision in the first section of the act, entitled "An act suspending for a limited time certain previsions of law, and for other purposes," passed May 16th, 1837, requiring the banks of this State to take each others notes in payment of debts due the banks, ought not to apply to balances due from one bank to another, and that the Bank Commissioners be required to take prompt measures to prevent any bank from giving such construction to said section, or of paying balances otherwise than in current funds, except by mutual arrangement between the banks.

Ordered, That said resolution be laid on the table.

The bill entitled "An act to incorporate the American Society for the diffusion of useful knowledge," was received from the Assembly, with a message informing that they had passed the same with the amendments therewith delivered.

Thereupon,

Resolved, That the Senate do concur in the amendments of the Assembly to said bill; two-thirds of all the members elected to the Senate voting in favor thereof, as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley	Mr. Livingeton	Mr. Sterling	
Mr. Downing	Mr. Loomis	Mr. Tallmadge	
Mr. Edwards	Mr. McLean	Mr. Tracy	
Mr. Hunter	Mr. Mack	Mr. Van Dyck	
Mr. Huntington	Mr. Maison	Mr. Wager	
Mr. H. F. Jones	Mr. Paige	Mr. Willes	
Mr. J. P. Jones	Mr. Seger	Mr. Works	
Mr. Lacy	Mr. Spraker	Mr. Young	24

Ordered, That the clerk deliver said bill, and a copy of said resolution to the Assembly.

The bill entitled "An act to amend an act entitled 'An act suspending for a limited time certain provisions of law, and for other purposes,' passed May 16, 1837," was received from the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

The Senate then took up the consideration of the resolution of the Assembly, for the appointment of a committee to examine the Treasurer's accounts.

Thereupon,

Resolved, That the Senate do concur in said resolution; and that Mr. Armstrong be of the said committee on the part of the Senate.

Ordered, That the clerk deliver a copy of said resolution of concurrence to the Assembly.

The Senate then took up the consideration of the following resolu-

Resolved, That the Senate concur in the report made by the majority of the committee appointed to investigate the charges against Mr.

Young, in making cale of the Sountegs County Bank stock, while a senator of this body.

Ms. Maison moved that said resolution be laid on the table.

Mr. President put the question on agreeing to said metion, and it was decided in the negative.

The year and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

Mr. Beckwith	Mr. Livingston	Mr. Tallmadge
Mr. Edwards	Mr. Loomis	Mr. Tracy
Mr. Hunter	Mr. McLean	Mr. Van Dyck
Mr. H. F. Jones	Mr. Paige	Mr, Willes
Mr. Lacy	Mr. Spraker	Mr. Works
Mr. Lawyer	Mr. Sterling	

Mr. Sterling

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FOR THE APPIRMATIVE.

Mr. Huntington Mr. Johnson	Mr. Maison Mr. Seger	Mr. Wager	E
mi. Johnson	mi. segei		Ð

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE AFFIRMATIVE.

Mr. L. Beardsley Mr. Beckwith Mr. Edwards Mr. Hunter Mr. H. F. Jones Mr. Lacy	Mr. Lawyer Mr. Livingston Mr. Leomis Mr. McLean Mr. Paige Mr. Spraker	Mr. Sterling Mr. Tallmadge Mr. Tracy Mr. Van Dyck Mr. Willes Mr. Works	18
Mr. Lacy	Mr. Spraker	Mr. Works	18

FOR THE NEGATIVE.

Mr.	Maison	Mr.	Wager		9	2
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A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

I have signed the bill entitled "An act suspending for a limited time certain provisions of law, and for other purposes." The main provisions of the bill I consider of the highest importance to the community at large in this crisis, but that provision which requires the banks to receive in payment of debts due to them the bills or notes of other banks, against which an injunction has not been issued, appears to me to be uniwise, and will, I apprehend, defect to a very great extent, the principal ebjects contemplated by the bill. By the operation of this provision. the banks will be unable to collect the balances against each other. One bank can pay its debts to another in its own bills, as well as in the bills of any other bank. It is scarcely necessary that I should dwell upon the consequences of such a provision. It will I fear contribute to the depreciation of the circulating medium, and delay the period of resuming specie payments. Those banks which make efforts to put themselves in a condition to do so, will be prevented from accomplishing this very desirable object by their inability to collect the balances due them by other banks. It is believed that the return of the bill now before me, almost at the hour of adjournment, would necessarily prevent any action upon the whole subject, and involve the speedy forfeiture of all the bank charters in the State. To prevent such a disastrous result, I have approved of the bill, but with the greatest reluctance, on account of the provision to which I have alluded. I yet cherish the hope that some act will be passed, or provision made, to modify this clause of the bill under consideration, and leave the banks with full power to enforce against each other the payments of the balances which may accrue in consequence of being obliged to take each others' bills from individual debtors.

W. L. MARCY.

Albany, 16th May, 1837.

Ordered, That the clerk transmit said message to the Assembly. Mr. Tracy asked for and by unanimous consent obtained leave to bring in the following bill, to wit:

An Act to suspend for a limited time certain provisions of an act therein named.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

§ 1. All provisions of the act, entitled "An act to prohibit the circulation of small bills," passed March 31, 1835, which prohibit the issuing and circulation of bills or notes of the incorporated banks of this state of a less denomination than five dollars, are hereby suspended for one year.

§ 2. This act shall take effect immediately.

The said bill was read the first time:

Thereupon,

Mr. Loomis objected to its being read the second time on the same day.

Mr. Tracy then moved to suspend the fifteenth rule of the Senate, in the words following, to wit:

15th. Every bill shall receive three readings previous to its being passed, and the President shall give notice at each whether it be the first, second or third; which readings shall be on three different days, unless

the Senate unanimously direct otherwise. No bill shall be amended or committed until it shall have been twice read; and all resolutions which propose any amendment to the Constitution, shall be treated in the form of proceedings on them in a similar manner with bills, except that it shall not be necessary to commit such resolutions to a committee of the whole.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The year and nays being moved and seconded, were as follows,

to wit:

FOR THE NEGATIVE.

FOR THE AFFIRMATIVE.

Mr. J. Beardsley	Mr. Livingston	Mr. 'l'allmadge	
Mr. L. Beardsley	Mr. Mack	Mr. Tracy	
Mr. Downing	Mr. Maison	Mr. Wager	
Mr. J. P. Jones	Mr. Sterling	Mr. Works	
Mr Lacy	· ·	•	13

On motion of Mr. Edwards,

Resolved unanimously, That the Senate tender to the Hon. John Tracy, their thanks for the faithful, impartial and able manner in which he has discharged the arduous and responsible duties devolving upon him as the preciding officer of this body.

Ordered, That the clerk deliver a copy of said resolution to the Lieu-

tenant-Governor.

On motion of Mr. Lacy,

Resolved, That the clerk of the Senate procure for each member and officer thereof, Williams's New-York Annual Register, for the year 1837.

Mr. Livingston moved that the following bill be ordered engreesed for a third reading, to wit:

An Act to repeal in part title twenty, chapter twenty, first part of the Revised Statutes.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

§ 1. So much of title twenty, chapter twenty, of the first part of the Revised Statutes, entitled 'Of unauthorized banking,' as prohibits corporations of cities and villages from issuing notes to be circulated as

money, is hereby repealed: but no such or greater amount than at a rate of five dollars city or village, according to the last census.

§ 2. This act shall take effect immediately

Mr. President put the question on agreeing decided in the negative.

The yeas and nays being moved and s to wit:

FOR THE NEGATIV

Mr. Armstrong	Mr. Johnson
Mr. J. Beardsley	Mr. Loomis
Mr. L. Beardsley	Mr. McLean
Mr. Beckwith	Mr. Mack
Mr. Edwards	Mr. Maison
Mr. Hunter	

FOR THE AFFIRMAT

Mr. Downing	Mr. Livingston
Mr. J. P. Jones	Mr, Tallmadge
Mr. Lacy	

A communication was received from the l nant-Governor, and read as follows, to wit:

TO THE SENAT

GENTLEMEN-

I have received with the deepest a manifestation of your approbation contained sent me, and tender to you for this mark of sincere thanks.

To deserve the confidence and support you to me, has been, and will continue to be, as exertions.

I beg you to accept my most ardent wish happiness, and the assurance of the high cons Your most obedient serve

May 16, 1837.

A message from his excellency the Govern secretary, was read, in the words following, to

TO THE SENAT

GENTLEMEN-

I have this day approved and signed to amend the charter of the village of Sing-S
[Senate Journal.] R 3

Also the bill, entitled "An act authorizing the appointment of commissioners to digest and report a judicial and equity system for the state of New-York."

W. L. MARCY.

Albany, May 15, 1837.

A message from his excellency the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE SENATE.

GENTLEMEN-

I have this day approved and signed the bill, entitled "An act for the relief of Louisa Troup and others."

Also the bill, entitled "An act in relation to the canals."

Also the bill, entitled "An act suspending for a limited time certain provisions of law, and for other purposes."

Also the bill, entitled "An act for the relief of the president, direc-

tors and company of the New-York State Bank."

Also the bill, entitled "An act for the relief of John Jackson and others."

Also the bill, entitled "An act to amend title fifth, chapter sixth, part third of the Revised Statutes, relative to the sale and redemption of real estate sold under execution."

Also the bill, entitled "An act to incorporate the Hudson River Agricultural Seminary."

Also the bill, entitled "An act in relation to the office of Surrogate." Also the bill, entitled "An act to incorporate the Chemung and Ithaca Rail-Road Company."

Also the bill, entitled "An act relating to the Albany basin."

Also the bill, entitled "An act relative to the court of common pleas of the city and county of New-York."

Also the bill, entitled "An act to authorize the proprietors of the Al-

bany pier to increase the width of the said pier."

Also the bill, entitled "An act for the relief of the Cohoes Company."

Also the bill, entitled "An act to incorporate the Rosendale Turn-

pike Company."

Also the bill, entitled "An act to incorporate the Salmon River Harbor Canal Company."

Also the bill, entitled "An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts."

Also the bill, entitled "An act to amend an act entitled 'An act suspending for a limited time certain provisions of law, and for other purposes,' passed May 16, 1837."

Also the bill, entitled "An act to incorporate the American Society

for the diffusion of useful knowledge."

Also the bill, entitled "An act relative to the village of Monticello, in Sullivan county."

W. L. MARCY.

Albany, May 16, 1837.

On motion of Mr. L. Beardsley,

Resolved, That there be paid, as part of the contingent expenses of the Senate, to Amos Andrews, porter, three dollars per day, for his attendance on the Senate during the present session, and one day before and one day after the present session, in cleaning the Senate chamber; to Jacob Griffin and Cornelius Swart, each one dollar and fifty cents per day, for their attendance on the Senate as messengers, pursuant to the seventh section of title sixth, chapter seventh of the first part of the Revised Statutes.

A bill was received from the Assembly for concurrence, entitled "An act for the payment of certain officers of the government, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Mr. L. Beardsley, from the committee on finance, reported with amendments, the bill from the Assembly, entitled "An act for the payment of certain officers of the government, and for other purposes."

The Senate then resolved itself into a committee of the whole on the said bill; and after some time spent thereon, Mr. President resumed the chair, and Mr. Tracy, from the said committee, reported that they had passed the same with amendments.

Thereupon,

Mr. Young made a motion to amend said report, by striking out of the said amendment a section in the words following, to wit:

"There shall be allowed to the chancellor and justices of the supreme court, the same compensation for their travel and attendance as members of the court for the correction of errors during the recess of the legislature, as is allowed by law to the members of that court."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The yeas and nays being moved and seconded, were as follows, to wit:

FOR THE NEGATIVE.

Mr. Armstrong	Mr. Hunter	Mr. Paige	
Mr. J. Beardsley	Mr. Livingston	Mr. Sterling	
Mr. L. Beardsley	Mr. McLean	Mr. Tallmadge	
Mr. Downing	Mr. Mack	Mr. Wager	
Mr. Edwards	Mr. Maison	3	14

FOR THE AFFIRMATIVE.

Mr. Beckwith	Mr. Spraker	Mr. Willes	
Mr. Lacy	Mr. Tracy	Mr. Works	
Mr. Loomis	Mr. Van Dyck	Mr. Young	9

Ordered, That the clerk deliver the said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The bill entitled "An act for the payment of certain officers of the government, and for other purposes," was received from the Assembly, with a message informing that they had concurred and non-concurred in the amendments of the Senate to the said bill.

Thereupon,

Resolved, That the Senate do recede from their amendments to the said bill not concurred in by the Assembly.

Ordered, That the clerk deliver said bill and a copy of said resolu-

tion to the Assembly.

The bill entitled "An act to restrict and equalize certain fees of notaries public," was received from the Assembly, with a message informing that they had passed the same without amendment; which was presented to his excellency the Governor by the clerk.

A message from his excellency the Governor, delivered by his private

secretary, was read, in the words following, to wit:

TO THE SENATE.

Gentlemen-

I have this day approved and signed the bill, entitled "An act to restrict and equalize certain fees of notaries public."

W. L. MARCY.

Albany, May 16, 1837.

Resolved, That the clerk of the Senate cause to be bound in boards with leather backs, the Documents of the Senate and Assembly, with an index thereto, and pay the expenses thereof out of the contingent fund of the Senate, and that he cause the same to be delivered to the Secretary of State within sixty days after the adjournment of the Legislature; and that the Secretary of State cause the same to be forwarded with the Journals, within ten days thereafter, to the several county clerks' offices, for the use of the members entitled to the same.

Ordered, That Mr. Hunter and Mr. Willes wait upon the Governor, and inform him, that unless he has some further communication to make to the Legislature, the Senate will, with the concurrence of the

Assembly, immediately adjourn.

Ordered, That Mr. H. F. Jones and Mr. Johnson wait upon the As-

sembly, and inform them that the Senate is ready to adjourn.

Mr. Hunter reported that Mr. Willes and himself had waited upon the Governor and delivered the message of the Senate; to which the Governor replied that he had no further communication to make to the Legislature.

Mr. H. F. Jones reported that Mr. Johnson and himself had waited

upon the Assembly, and delivered the message of the Senate.

Mr. Hackley, from the Assembly, reported that Mr. Patterson and himself had been appointed a committee on the part of the Assembly, to inform the Senate that the House was now ready to adjourn.

Thereupon,

Mr. President adjourned the Senate to meet again according to law. JOHN F. BACON, Clerk.

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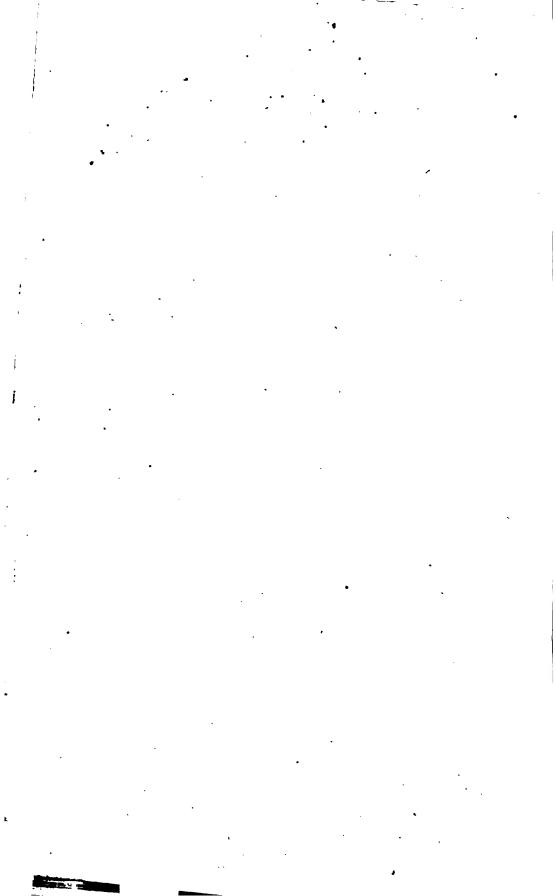
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